

**MINUTES  
OF THE  
NATURAL RESOURCE COMMISSION  
MEETING**

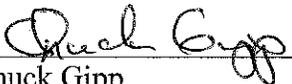
**NOVEMBER 8, 2012**

**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: 12/13/12

Director's Signature:   
Chuck Gipp  
Director

RECORD COPY

File Name: ADM 1-1-1

NRC MINUTES

Sender's initials: KG

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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 11/08/12 at 9:30am.

**COMMISSIONER ATTENDANCE**

Present

- Conrad Clement
- Gregory Drees
- Richard (Kim) Francisco, Secretary
- Dr. Sally Prickett, Vice-Chair
- Dennis Schemmel (by phone)
- Margo Underwood, Chair

Absent

- Janelle Rettig

**PUBLIC PARTICIPATION**

- Walter Simmons                      Palo Recreation Field Trial Grounds

Discussion – Kevin Szcodronski, State Parks Bureau Chief, will follow up with the Park’s land management plan and provide an informational item to the Commission next month.

**1. APPROVAL OF AGENDA**

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

CARRIED AS PRESENTED

**2. APPROVE MINUTES OF 10/11/12 NRC PUBLIC MEETING**

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

CARRIED AS PRESENTED

**3. DIRECTOR’S REMARKS**

Deputy Director Trautman provided information regarding the positive meeting he had with the Governor’s office and the Parks Foundation regarding the work the Parks Foundation has been doing. He also provided an update on Chronic Wasting Disease (CWD), upcoming legislative issues, and drought issues in Iowa and the drought task force.

**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 also provided a strategic plan update, the Resort's efforts on Facebook, and the Rathbun Resort Association's continued efforts in fundraising. HCR staff, as requested by the Commission, will provide an update in 6-9 months on group sales progress and information on the local debt in relation to fundraising.

INFORMATIONAL

**5. CONTRACT WITH PRAIRIE RIVERS RC&D FOR ADVANCING STATEWIDE URBAN FORESTRY INITIATIVES**

Commission approval is requested for a three year-service contract with Prairie Rivers RC&D, Inc. The contract will begin on January 2, 2013, and terminate on January 1, 2016. The total amount of this contract shall not exceed \$151,792.00. DNR shall have the sole option to extend this Contract for subsequent periods, adding up to no more than 6 years total, by executing a signed amendment prior to the expiration of this Contract. This contract will be funded through the United States Department of Agriculture Forest Service grant: *Advancing Statewide Urban Forestry Initiatives* received pursuant to the authority provided in Iowa Code section 455A.24(13). The federal grant dollars that fund this contract can be used only as specified in the Forest Service/IDNR grant agreement. Prairie Rivers RC&D is the grant awardee as per the federal grant narrative. This agreement will allow DNR and Prairie Rivers RC&D, Inc., to develop strategies to assist Iowa communities with understanding the benefits of the urban forest and promoting strategies to assist with the management, maintenance, and enhancement of that resource in communities statewide. The Iowa Forestry Bureau within the DNR has worked with the United States Forest Service (USFS) to deliver financial, technical and related assistance to Iowa's Urban and Community Forests. By receiving grant funds through the USFS State and Private Forestry Competitive Resource Allocation this partnership has expanded. The *Advancing Statewide Urban Forestry Initiatives* grant will provide improved urban forest management, statewide education to help conserve and enhance community forests, protect against and plan for future threats, and share information on the benefits provided by trees. It will specifically help three growing communities (Ames, Ankeny, and Waukee) pilot better management of their community tree resources through development of management plans, demonstration of the value of urban forests to municipal leaders and citizens, and networking of communities and volunteers. This grant will also advance urban and community forestry statewide through assistance to the Iowa Urban Forestry Council.

Motion – Commissioner Drees

Seconded – Commissioner Francisco

Discussion – Emma Bruemmer provided information that the Department is committed to expend funds as outlined in the federal grant application. Also, after the pilot is completed, Forestry anticipates providing publications and education, replicating the process, and helping the communities with technical assistance.

Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

**6. AMENDMENT WITH IOWA STATE UNIVERSITY FOR HUNTER AND SHOOTER DEVELOPMENT AND OUTREACH**

Commission approval is requested for a sixteen month contract extension with Iowa State University (ISU) located in Ames, IA. The contract will begin on December 1, 2012 and terminate on March 31, 2014. The total amount of this contract shall not exceed \$70,000. The Department 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 Federal Aid to Wildlife Restoration – Hunter Education Section 4 & 10 Funds. The parties propose to extend this Contract to continue to conduct hunter and shooter outreach and development programs and research. The Department and ISU have established nationally recognized shooting sports related programs that could be more aligned and cross promoted to increase awareness and participation. By combining the Department’s and ISU’s knowledge, resources, and experience, we are able to reach a broader audience and help foster better stewardship of our natural resources and the importance of conservation. This extension will allow ISU to continue their coordination of the Youth Hunter Education Challenge, Iowa Archery in the Schools Program, and provide assistance with Outdoor Skills. We will also be able to continue the alignment of program materials to meet the needs and requirements of 4H National so that participants and instructors would receive cross training in various disciplines and be able to participate and assist with both organizations’ programs. ISU staff will continue to assist the Department in the development of a systematic approach to move youth target shooters and non-hunting families to hunting participation and conservation. Iowa State University was chosen for the initial contract because they coordinate the State’s 4-H Extension and Safety and Education of Shooting Sports (SESS) Programs and have the ability to meet the needs of the Department and complement the Department’s shooting sports programs.

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

CARRIED AS PRESENTED

## 7. ENGINEERING CONSTRUCTION PROJECTS

### 7.1 PLEASANT CREEK SRA, CAMPGROUND RENOVATION PROJECT

**Project Summary:** Project consists of the reconfiguration and addition of camp pads in Campground 2, inclusion of new 50-amp electric service, and the addition of two full-service campsites in Campground 2, and construction of one full-service campsite in Campground 1. Replacement and addition of yard hydrants in Campground 2 and in the cabin area, water line repair and drinking fountain replacement at the shower buildings in Campgrounds 1 and 2, and electric lights and receptacles in the North and East Shelters. Site restoration and incidental items as required by the project documents and the IDNR Construction Inspector. **Function of the Project:** To enhance park camping and picnic opportunities by providing upgraded electric services and water improvements in the campgrounds, two shelter areas, and the existing cabin area. **Construction Needed:** Reconfiguration of thirty camping sites, electrical service upgrade in the campground, and the addition of lighting and electric power receptacles.

#### Green Features:

- Silt fences and other stormwater management measures
- Broken concrete will be repurposed as roadway erosion control on IDOT projects
- Low energy LED units for lighting

**DNR Project Manager:** Butch Doorenbos, PE; Engineering Bureau  
**Designer:** Butch Doorenbos, PE; Engineering Bureau  
**DNR Inspector:** Bruce Flippin, PE; Engineering Bureau  
**Operating Bureau:** Parks  
**Funding Source:** 100% Health & Safety - FY12 Special Appropriations  
**Cost Estimate:** \$235,000.00  
 Capital Link #216  
**Plans Issue Date:** 9/28/12  
**Plan Holders:** 4  
**Number of Bids Received:** 3

**Bidders**

Connolly Construction Inc	Peosta, IA	\$215,371.40
Engineering Consultants Inc [ECINC]	Nichols, IA	\$224,193.60
JB Holland Construction	Decorah, IA	\$234,055.26

**IDNR recommends awarding the Bid to Connolly Construction Inc.**

Motion – Commissioner Drees Seconded – Commissioner Clement Decision – Approved by Unanimous Vote
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CARRIED AS PRESENTED
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**7.2 BIG CREEK STATE PARK – OLOFSON SHOOTING RANGE, BIG CREEK LAW ENFORCEMENT BUILDING**

**Project Summary:** Law Enforcement needs a new 110'x40' storage facility for their boat patrol equipment. This project will consist of one (1) heated garage/storage bay, four (4) cold bays with one of the bays being full pull-through.

**Function of the Project:** Provide Enforcement with new boat storage space.

**Construction Needed:** Cutting and filling of current location, utility runs to location, concrete foundation work, and building erection.

**Green Features:**

- Metal Roof: Life expectancy 25+ years and fully recyclable
- Structural Insulated Panels: Insulated resistance R-42
- LED lighting: Full cut-off, used on all evening security and way-finding lights
- Pervious paving throughout the equipment yard
- Photo sensors on garage bay lights; monitors and dims lights to appropriate levels
- High efficiency forced air unit heaters (shop)
- Energy efficient windows

**DNR Project Manager:** Ryan Richey, NCARB; Engineering Bureau

**Designer:** Ryan Richey, NCARB; Engineering Bureau

**DNR Inspector:** Don Labate, PE; Engineering Bureau

**Operating Bureau:** Law Enforcement

**Funding Source:** 100% BRFF

**Cost Estimate:** \$350,000.00  
Capital Links #162 and #74

**Plans Issue Date:** 09/28/12

**Plan Holders:** 10

**Number of Bids Received:** 3

**Bidders**

TK Concrete Inc	Pella, IA	\$348,208.00
R.H. Grabau Construction, Inc.	Boone, IA	\$443,203.25
Edge Commercial	Grimes, IA	\$580,553.50

**IDNR recommends awarding the Bid to TK Concrete Inc.**



Motion – Commissioner Francisco moved to approve 7.3 and 7.4.  
 Seconded – Commissioner Clement  
 Discussion – Nate Hoogeveen provided information on the difference between base stone (medium stone) and weir stone (large boulders), their purpose, and the low maintenance required on this method of management.  
 Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

**7.4 KLONDIKE DAM, STONE PURCHASE & DELIVERY**

**Project Summary:** This project is for the purchase and delivery of stone for the Klondike Dam to Rapids Conversion project. The purpose of having a separate contract for materials and delivery is to minimize contractor’s markup for supplying the material. The savings projected were considered significant. This project has 15,300 tons of base stone, 1,600 tons of crushed stone and 1,500 weir stones.

**Function of the Project:** Supply materials for a separately bid project.

**Construction Needed:** NONE - Supply and Delivery Only

**Green Features:** NONE

**DNR Project Manager:** Mike Broderick, Engineering Bureau  
**Designer:** IDNR  
**DNR Inspector:** Jeff Felts, PE; Engineering Bureau  
**Operating Bureau:** Fisheries  
**Funding Source:** 50% FEMA, 30% I-Jobs, 20% F & W Grant  
**Cost Estimate:** \$865,000.00  
 Capital Link #259  
**Plans Issue Date:** 09/28/12  
**Plan Holders:** 7  
**Number of Bids Received:** 5

**Bidders**

Landwehr Construction Inc.	St. Cloud, MN	\$323,686.00
L.A. Carlson Contracting Inc.	Merrill, IA	\$341,270.00
Sweetman Construction	Sioux Falls, SD	\$341,875.00
Graves Construction Co., Inc.	Spencer, IA	\$384,500.00
Merryman Excavation Inc.	Woodstock, IL	\$466,002.00

**IDNR recommends awarding the Bid to Landwehr Construction Inc.**

Motion – Commissioner Francisco moved to approve 7.3 and 7.4.  
 Seconded – Commissioner Clement  
 Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

**8. ENGINEERING PROFESSIONAL SERVICES ITEM (NON-MASTER CONTRACT CONSULTANT) – WILSON ISLAND SRA FLOOD DAMAGE REMEDIATION & CAMPGROUND UPGRADE**

The Department requests Commission approval of the following professional services:

**Contract Summary:** The Department is negotiating a scope of work for professional engineering services to design, bid, and provide construction administrative services for the reconstruction of the Wilson Island Recreational Area in Pottawattamie County.

**Background and Purpose:** The flood of 2011 caused major damage to Wilson Island State Recreation Area. Wilson Island has an extensive history of flooding. Scope includes improvements to the park layout to avoid or mitigate impacts to facilities in potential future floods.

**Product and Services Needed:** The Ehrhart and Griffin of Council Bluffs has been selected to prepare final designs, including drawings, specifications, and cost estimates. The firm will prepare bid documents, obtain all needed permits/clearances, provide a preliminary plan to DNR, will issue addenda, answer pre-bid questions, conduct on-site preconstruction meeting, and will be retained during construction for limited project oversight. The routine day-to-day site inspections will be the responsibility of Iowa DNR and will be coordinated with the consultant. The consultant will be responsible for all needed surveys including construction staking and as well as other survey needs during construction.

General scope of work includes:

- Contract Administration
- Topographic Survey
- Grading Plan
- Campground Pads Design
- Electrical Design
- Park Office Layout and Utilities Design
- Paved Roads, Accesses and Parking Design
- Wastewater Treatment System Facility Planning and Design
- R.V. Wastewater Dumping Station Design
- Miscellaneous Repairs
- Cost Estimating
- Bidding
- Construction Management/Construction Staking
- Permitting Documentation and Application

Negotiated compensation for the services provided under this contract will not exceed \$143,200.00. There is a potential, a flood plain study may be required by DNR Flood Plains Section during the permitting process. It would require a change order to include this cost.

**DNR Project Manager:** Mike Hameed, PE; Engineering Bureau

**Operating Bureau:** Parks

**Funding Source:** 34% FEMA and 66% Executive Council.

**IDNR recommends awarding the contract to Ehrhart and Griffin not to exceed \$143,200.00**

Motion – Commissioner Francisco  
 Seconded – Commissioner Drees  
 Decision – Approved; 1 nay vote (Commissioner Prickett)

CARRIED AS PRESENTED

## 9. 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
9/27/2012	13-04-87-02	Lake of 3 Fires State Park	Taylor	Repair 950ft of the existing shoreline riprap on the 5 fishing jetties and around the beach using screened Class "D" riprap.	\$30,000	<b>\$29,811.60</b> \$34,440.00 \$34,860.00 \$36,540.00 \$37,447.20 \$41,160.00 \$44,940.00
9/27/2012	12-06-49-04	Bellevue Fisheries Station	Jackson	Install approximately 1600 sq feet of ArmorFlex Articulating Concrete Block (ACB) 50S series, including all necessary site prep, around an existing boat ramp.	\$30,000	<b>\$28,955.00</b> \$46,210.00 \$47,070.00
10/4/2012	13-04-39-02	Springbrook State Park	Guthrie	Repair 595 feet of the existing shoreline riprap on the boat ramp and around the dam using screened Class "E" riprap.	\$25,000	<b>\$21,150.00</b> \$23,872.50 \$27,000.00 \$27,765.00

INFORMATIONAL

## 10. LAND ACQUISITION PROJECTS

### 10.1 VIRGIN LAKE WETLAND COMPLEX – PALO ALTO CO. – JANSSEN

The Natural Resource Commission's approval is requested to purchase a tract of land located in Palo Alto County adjacent south of Virgin Lake Wetland Complex. Marvin and Jane Janssen offer this 28-acre tract for the appraised price of \$34,700. Greg Tritle, Licensed Appraiser of Sanborn, Iowa, submitted the appraisal. Rick Hansen negotiated the purchase agreement. This property is located two miles south of Ruthven in west central Palo Alto County. The undulating tract is enrolled in a permanent Wetlands Reserve Program (WRP) easement (June 2012). Restoration calls for both upland and wetland native seed mix as well as four pothole basins. A county, gravel-base road (380th St.) provides excellent access along the entire north boundary of the property. This tract will be managed for outdoor recreation. The acquisition will greatly enhance the adjoining Virgin Lake complex by providing for new habitat types and watershed protection to the recent shallow lake project completed earlier this year. The Wildlife Bureau will manage the property. Acquisition funding will be provided

by a 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  
 Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

### **10.2 VIRGIN LAKE WETLAND COMPLEX – PALO ALTO CO. – WICHMAN/MOORE**

The Natural Resource Commission's approval is requested to purchase a tract of land located in Palo Alto County adjacent south of Virgin Lake Wetland Complex. Roger Wichman and the Wanda J. Moore Trust offer this 39-acre tract for the appraised price of \$48,500. Greg Tritle, Licensed Appraiser of Sanborn, Iowa, submitted the appraisal. Rick Hansen negotiated the purchase agreement. This property is located two miles south of Ruthven in west central Palo Alto County. The undulating tract is enrolled in a permanent Wetlands Reserve Program (WRP) easement. Restoration calls for upland and wetland native seed mix as well as one large pothole basin. A 3-acre natural wetland also exists in the northeast corner of the tract. A county, gravel-base road (380th St.) provides excellent access along the entire north boundary of the property. This tract will be managed for outdoor recreation. The acquisition will greatly enhance the adjoining Virgin Lake complex by providing for new habitat types and watershed protection to the recent shallow lake project completed earlier this year. The Wildlife Bureau will manage the property. Acquisition funding will be provided by a NAWCA grant. No surveying or fencing costs is anticipated. Incidental closing costs will be the responsibility of the Department. Staff recommends approval of the acquisition.

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

CARRIED AS PRESENTED

### **\*10.3 IOWA HIGHWAY 86 – DICKINSON CO. – IA DOT**

The Natural Resource Commission is requested to approve a "Purchase Agreement and Interagency Transfer of Jurisdiction" as a result of a highway improvement project adjacent to Iowa Hwy. 86. This improvement project extends approximately 4 miles north of the junction of Iowa 9 and Iowa 86. Consideration for this permanent transfer of jurisdiction is mutual benefit due to the improved access along the area. This area will be managed by the DOT as a road right of way. Certain real property owned by the State of Iowa in Dickinson County was acquired by the Iowa DOT for the Use and Benefit of the State of Iowa in 1998. This land was later jurisdictionally transferred to the Iowa DNR by Intergovernmental Agreement and Transfer of Jurisdiction; and other land acquired by the Iowa State Conservation Commission acting for the State of Iowa. The Iowa DOT requires the use of said property for the improvement of a public highway in conjunction with the parcels listed below. The Iowa DOT is asking Iowa DNR to relinquish its jurisdiction and access control to the Iowa DOT. The consideration for the permanent transfer of jurisdiction and control is Mutual Benefit. Parcels for transfer include:

1. Parcel "A-1" containing 3.39 acres, inclusive of 1.79 acres of existing ROW
2. Parcel "A-2" containing 1.20 acres, inclusive of 0.81 acres of existing roadway easement
3. Parcel "A-3" containing 3.37 acres, inclusive of 3.29 acres of existing roadway easement
4. Parcel "A-4" containing 0.67 acre of existing roadway easement

5. Parcel "4-C" all rights of "direct access" between Iowa Hwy. 86 and grantor's property abutting thereon in the SE¼NW¼ of Section 35, T100N, R37 West from Station 127+88 to Station 128+89 on the west side. Grantee further permits access at Station 128+01 on the west side of Primary Road 86. Said real estate agreement and interagency transfer of jurisdiction is duly authorized by Chapter 28E and Sections 306.4 of the Code of Iowa. Staff recommends approval of the interagency transfer.

CARRIED UNDER CONSENT AGENDA

**\*10.4 MAQUOKETA RIVER – CLAYTON CO. – CLEVINGER**

The Natural Resource Commission's approval is requested to purchase a permanent easement for angler access on a 550 foot segment of the Maquoketa River located in southwestern Clayton County and northwest of Backbone State Park. Donald and Sandra Clevenger offer this permanent easement encumbering 1.9 acres for \$4,750. Rick Hansen negotiated the option for easement in compliance with Title 49 CFR Part 24 which allows the negotiator to negotiate without an appraisal from a value of up to \$25,000 with the landowners waiving an appraisal. This heavily forested region of the stream bank is located 2 miles northwest of the Backbone State Park boundary. In addition to public fishing, the easement allows DNR to stock and sample fish, install fish habitat, and conduct water quality/stream bank improvements. The easement corridor is 150 foot wide by 550 foot in length (75 foot on each side of the centerline of Maquoketa River). Access is provided by prior completed angler access easements adjacent both north and south of the Clevenger segment. This easement will be monitored by the Fisheries Bureau. I-JOBS funding will be used to acquire the easement. No survey or fencing costs are anticipated. Incidental closing costs will be the responsibility of the Department. Staff recommends approval of the permanent easement acquisition.

CARRIED UNDER CONSENT AGENDA

**10.5 PALISADES ACCESS – LINN CO. – MARTIN-MARIETTA QUARRIES, INC.**

The Natural Resource Commission's approval is requested for an exchange of property between the IA DNR and Martin Marietta Quarries, Inc. The exchange properties are located in Linn County adjacent to and within the boundaries of Palisades Kepler State Park. The following text was presented to the NRC in October 2010 as background information for the proposed exchange:

On June 11, 1963, the Department issued a 5-year construction permit to Martin-Marietta Quarries, Inc., which operated a quarry on property adjacent to the south of Palisades Access. The permit authorized cutting and disposal of trees and allowed the fill of two acres annually with waste aggregate from their quarry operation, up to an elevation of 699 feet MSL, or about 10 feet of fill. The original intent of the fill was to allow development to provide improved public access to the river.

On February 17, 1964, the Department and the Linn County Conservation Board entered into a 25-year management agreement to transfer management of Palisades Access to the county. The agreement specifically required the county to honor the quarry's construction permit. It was anticipated that Linn County would acquire additional adjacent land to provide public access; however, acquisition of that land never occurred.

On May 23, 1968, the Department issued a new 5-year construction permit to Concrete Materials and Construction Company, the operator of the quarry for Martin-Marietta Quarries, Inc., at that time. The permit authorized the fill activities to continue as under the 1963 permit, with a change of allowable fill up to an elevation of 707 feet MSL instead of 699 MSL, and allowed for the storage of aggregate.

The permit expired December 31, 1968, and went unnoticed by the DNR, the Linn County Conservation Board, and by Martin-Marietta Quarries, and storage of materials on this site continued.

The management agreement with Linn County was renewed for 25 years in 1989, by which time DNR staff and the Linn County CCB were unaware of the previous arrangements and records with the quarry

and unaware that the quarry operated on state land. In 1998, at the request of Linn County, the management agreement was dissolved. Palisades Access management reverted back to the State Parks Bureau. At this time, there was no record of this parcel in park files or on park maps. In August of 2009, while the current park ranger was researching property information, this parcel was discovered as public property. After conferring with DNR Realty Services it was determined that the parcel is part of Palisades Kepler State Park and that the ongoing storage of aggregate on the site is technically an encroachment.

The DNR has met with representatives from Martin Marietta Quarries to explore solutions to this encroachment issue resulting from a mistake dating back over 40 years ago. Since the encroached property has no significant conservation value in its current condition, a resolution would be to have Martin Marietta Quarries acquire a high priority parcel to trade for the encroached portion of the Palisades Access, which the Department supports. There is now an access south of the quarry and the purpose for the land transfer option would be, in part, to create a new, more desirable, access. Since the time of the October 2010 NRC information item, survey and appraisal work have been completed for the exchange properties and Martin Marietta has obtained a purchase agreement for state park addition. The 60.35 acre (current DNR property) tract was appraised at \$66,355. The DNR will retain a 100' buffer strip along the Cedar River which is approximately 10 acres in size. The Airline Circle residential development lot (3.3 acres) appraised for \$75,000.

The Palisades Access property is now of little conservation value due to its years of quarry activity. The Airline Circle (Palisades Park Place 1st Lot) property borders the park the entry road and is adjacent to the state park boundary. Acquisition of this tract would protect the property from development of a residential home constructed along park road impacting pristine natural lane to park. Staff recommends approval of the permanent easement acquisition.

Motion – Commissioner Drees  
Seconded – Commissioner Francisco  
Discussion – Travis Baker and John Maehl (DNR), and Neil Grant (Martin Marietta Materials) provided information on the history and cooperative solutions identified by both parties.  
Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

**11. LAND MANAGEMENT PROJECTS**

**\*11.1 MISSISSIPPI RIVER – MUSCATINE CO. – CHS, INC.**

The Natural Resource Commission’s approval is requested for the lease with CHS Inc. for a portion of the riverbed of the Mississippi River. Upon NRC approval, it will then be submitted to the Executive Council for final approval. We received notification of the merger between CHS, Inc. and Agrilience in 2009. The lease area consists of a portion of the Mississippi River bed with 200 feet of frontage and 145 feet of depth, located at Mississippi River Mile 450.0, Section 27, Township 76 North, Range 2 West of the 5th P.M., Muscatine County, Iowa. This site has been under lease since 1992. CHS will make no changes to the operation of the terminal. The proposed lease will be for a five year period. The annual fee is \$2,100 with a condition that the fee may be adjusted to comply with adopted administrative rule changes that affect lease fees. Staff recommends approval of the lease agreement.

CARRIED UNDER CONSENT AGENDA

**\*11.2 MISSISSIPPI RIVER – SCOTT CO. – MAGELLAN PIPELINE**

The Natural Resource Commission is requested to approve, for submission to the Iowa Executive Council for final approval, a lease with Magellan Pipeline Terminal of Tulsa, Oklahoma for a portion of the riverbed of the Mississippi River. In 2008, the lease was assigned from CITGO Petroleum to Magellan Pipeline. The leased area consists of 2,422 square feet located at River Mile 488.5, Section 26, Township 78 North, Range 4 East of the 5th P.M., in Scott County, Iowa, in the City of Bettendorf. The site is used to facilitate barge loading and unloading products associated with an oil terminal. The area is occupied by three mooring cells of 29, 33 and 34 feet in diameter. The site has been under lease since 1992. The proposed lease will be for a five year period, expiring September 30, 2017. The annual fee is \$300.00 with a condition that the fee may be adjusted to comply with adopted administrative rule changes that affect lease fees. Staff recommends approval of the lease agreement.

CARRIED UNDER CONSENT AGENDA

### 11.3 PIKES PEAK STATE PARK – CLAYTON CO. – ROSE/MILLER

The Natural Resource Commission is requested to approve, for submission to the Iowa Executive Council for final approval, a Chapter 18 Lease with Shawn E. Rose and Tammy L. Miller. The Rose/Miller lease will cover a 12 x 60 drive way, railroad tie retaining wall, portion of the house and deck and a 500 gallon LP tank. We are adding the following stipulations to the Chapter 18:

1. The structures shall be properly maintained.
2. No additions or changes shall be made to the existing structures.
3. If the structure deteriorates beyond repair or is destroyed by natural causes, the structure may not be rebuilt or replaced and the remnants will need to be removed.

The proposed lease will be for a five year period. The annual fee is \$300.00 with a condition that the fee may be adjusted to comply with adopted administrative rule changes that affect lease fees. Staff recommends approval of the lease agreement.

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

CARRIED AS PRESENTED

### \*11.4 SEGEBARTH WILDLIFE AREA – BLACK HAWK CO. – BLACK HAWK CCB

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 Segebarth Wildlife Area through 2037. The agreement covers approximately 80 acres of WRP encumbered land containing two wetlands and native prairie. The area will be managed as a wildlife management area providing access to waterfowl and upland game hunting. Segebarth is located approximately ¾ of a mile from the Sage Sanctuary currently managed by Black Hawk County. The County desires to manage the area. Staff recommends approval of the management agreement.

CARRIED UNDER CONSENT AGENDA

### 11.5 FRANK A. GOTCH STATE PARK – HUMBOLDT CO. – HUMBOLDT CCB

The Natural Resource Commission's approval is requested for a renewal management agreement with the Humboldt County Conservation Board and the DNR. This agreement authorizes the Humboldt County Conservation Board to manage Frank A. Gotch State Park through 2037. The agreement covers an approximately 67 acre park nestled between the East and West Forks of the Des Moines River with easy access from the intersections of Hwy 169 and Hwy 3 in Humboldt. There is no new development

or infrastructure improvements planned. The area has been managed by the County since 1987 and desires to continue to manage the area. Staff recommends approval of the management agreement.

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

CARRIED AS PRESENTED

**11.6 SECTION 6 FUNDING SUB-AWARD – BUENA VISTA CO. – TNC**

The Natural Resource Commission is requested to approve a sub-award agreement between the Iowa Department of Natural Resources and the Nature Conservancy (TNC). The DNR received a Section 6 endangered species grant for the acquisition suitable habitat to expand the orchid population. The grant amount is award of up to \$259,000 and the non- federal match is 25%. DNR is partnering with TNC for the possible purchase of 80 acres in Buena Vista County. A sub-award agreement, approved by DNR Legal Services Bureau, TNC, and the USFWS, has been prepared that will allow TNC to purchase and hold title to the property. TNC will provide the 25% match required by the grant. The property will revert to DNR should TNC decide to dispose of the property. Staff recommends approval of the sub-award.

Motion – Commissioner Prickett  
Seconded – Commissioner Drees  
Discussion – John Pearson provided information about the status and expansion of the orchid population.  
Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

**\*11.7 MISSISSIPPI RIVER – SCOTT CO. – AGREX, INC.**

The Natural Resource Commission is requested to approve, for submission to the Iowa Executive Council for final approval, a new lease with Agrex, Inc., currently in negotiations for the purchase River/Gulf Grain Company for a portion of the riverbed of the Mississippi River. The lease area consists of an irregular portion of the riverbed, approximately 585 feet of river frontage by 40 feet of depth, totaling approximately 24,000 square feet, located at River Mile 486.5, in the NE ¼ of Section 33, Township 78 North, Range 4 East in Scott County. The site will be used to load grain onto barges using an enclosed conveyor system and three anchored dock barges. The lease is contingent upon Agrex, Inc., agreeing to the endangered species mitigation plan regarding state and federally endangered mussels in and around the leased area, the transfer of property and/or assets from River/Gulf Grain and other interested parties to Agrex, Inc., and the receipt of a completed application and payment of administrative fee from Agrex, Inc. The proposed lease will be for a five year period. The annual fee is \$3,600.00 with a condition that the fee may be adjusted to comply with adopted administrative rule changes that affect lease fees. Staff recommends approval of the lease agreement.

CARRIED UNDER CONSENT AGENDA

**12. DIVISION ADMINISTRATOR REMARKS**

Chuck Corell provided an update on Epizootic Hemorrhagic Disease (EHD), the DNR’s webpage that discusses the differences between EHD and CWD, and that the Department does not, at this time, plan to announce changes related to the deer hunting season except that more CWD testing will be done. He

also stated the State Park forums have been completed and twelve were held across the state this year. More are planned for next year to gather additional public input on specific parks. The Department has been working with the Fish and Wildlife Service on the possibility of sequestration and budget issues. If federal sequestration occurs, it will reduce federal funds to the Trust Fund. Chuck requested NRC input regarding the January joint NRC/EPC meeting. Commissioners are to let him know of any agenda topics they would like included.

### 13. GENERAL DISCUSSION

- NRC Legislative Annual Report – Commissioner Underwood provided commissioners with ideas for accomplishments and last year’s recommendations. Commissioners provided input and Commissioner Drees will send a draft to the Commissioners for their review before the next meeting.
- Waterfowl Working Group Update – Commissioner Francisco reported one meeting has been held and the letter will go out to schedule the January meeting. Michelle Wilson will facilitate the meeting. Kim Rasler will email a list of the current participants to the NRC.
- Commissioner Drees reported he attended the Trumbell Lake Restoration Project public meeting. Approximately 50 people attended and were provided information giving them a good understanding of the project.
- Commissioner Prickett attended the Parks Forum at Waubonsie State Park and over 50 people attended. Many were equestrians. She was complimentary about the staff attending and the meeting provided an opportunity for good input.
- Commissioner Underwood inquired about drought information on the DNR website. Director Gipp provided information that the Department is linked to the Governor’s webpage on this issue. Commissioner Underwood reported she and Commissioner Prickett will continue their meetings with legislative leaders and committee chairs. Also, regarding awards staff are receiving, she asked if the NRC would consider an annual recognition event recognizing these staff to say thank you. Director Gipp shared he would add the NRC to the distribution list of the Department’s quarterly newsletter.

#### Adjournment

<p>Motion to adjourn the meeting – Commissioner Drees          Seconded – Commissioner Prickett          Decision - Approved by Unanimous Vote          With no further business to come before the Natural Resource Commission, Chair Underwood adjourned the meeting on 11/08/12 at 1:53pm.</p>
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<p>CARRIED – MEETING ADJOURNED</p>
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#### UPCOMING NRC MEETING DATES

- December 13, 2012 – Henry Wallace State Office Building, Des Moines, 9:30am

