

MINUTES  
OF THE  
NATURAL RESOURCE COMMISSION  
MEETING

MAY 9, 2013

HELD AT:

IOWA DEPARTMENT OF NATURAL RESOURCES  
Mines of Spain/EB Lyons Interpretive Center  
8991 Bellevue Heights  
Dubuque, IA

For Office Use Only

Date Minutes Approved By NRC: 6/13/13

Director's Signature: Chuck Gipp  
Chuck Gipp  
Director

RECORD COPY

File Name: ADM 1-1-1

NRC MINUTES

Sender's initials: KR

**TABLE OF CONTENTS (\* indicates consent item)**

Call to Order ..... 4

Commissioner Attendance..... 4

Public Participation..... 4

1. NRC Commissioners ..... 4

1.1 Oath of Office ..... 4

1.2 Introduction of Commissioners ..... 4

2. Approval of Agenda ..... 4

    CARRIED AS AMENDED ..... 4

3. Election of Natural Resource Commission Officer ..... 4

    NOMINATIONS APPROVED AND ELECTED ..... 4

4. Approve Minutes of 04/11/13 NRC Public Meeting ..... 4

    CARRIED AS PRESENTED ..... 5

3. Director’s Remarks ..... 5

6. Honey Creek Resort State Park Update ..... 5

    INFORMATIONAL ..... 5

7. Engineering Construction Projects ..... 5

7.1. Cold Springs State Park, SW Regional Office Addition and Remodel ..... 5

    CARRIED AS PRESENTED ..... 6

7.2. Maquoketa/Green Island WMA, Channel Clean-Out..... 6

    CARRIED AS PRESENTED ..... 7

7.3. Chariton Research Station at Red Haw State Park, Parking Lot ..... 7

    CARRIED AS PRESENTED ..... 8

7.4. Iowa State Fairgrounds, Iowa DNR Building – Reroof and Renovation..... 8

    CARRIED AS PRESENTED ..... 9

7.5. Green Valley State Park, Recreational Trail..... 9

    DENIED AS PRESENTED ..... 10

8. Springbrook State Park Shower Building - Change Order 1 ..... 10

    CARRIED AS PRESENTED ..... 11

9. Small Construction Projects..... 11

    INFORMATIONAL ..... 12

10. Land Acquisition Projects..... 13

10.1 Iowa Lake Marsh WMA – Kossuth Co. – Morrall ..... 13

    CARRIED AS PRESENTED ..... 13

10.2 Hottes Lake WMA – Dickinson Co. – Maser..... 13

    CARRIED AS PRESENTED ..... 13

10.3 Gladfelter Marsh WMA – Hancock Co. – INHF ..... 13

    CARRIED AS PRESENTED ..... 14

10.4 Waterman Creek Prairie WMA – O’Brien Co. – INHF ..... 14

    CARRIED AS PRESENTED ..... 14

10.5 Goodale Conservation Area – Chickasaw Co. – INHF ..... 14

    CARRIED AS PRESENTED ..... 14

10.6 West Fork WMA – Butler Co. – INHF..... 14

    CARRIED AS PRESENTED ..... 15

11. Land Management Projects ..... 15

11.1 Pioneer State Park – Mitchell Co. – Mitchell CCB ..... 15

    CARRIED AS PRESENTED ..... 15

\*11.2 Three Mile Lake – Union Co. – Southern Iowa Rural Water Association (SIRWA)..... 15

    CARRIED UNDER CONSENT AGENDA ..... 16

\*11.3. Burk WMA – Lee Co. – Lee CCB..... 16

CARRIED UNDER CONSENT AGENDA .....16

12. Cultural Resource Survey Contract with University of Iowa – Amendment 5 ..... 16  
CARRIED AS PRESENTED .....16

13. Contract with Conservation By Design for State Park Interpretive Panel Design and Fabrication16  
CARRIED AS PRESENTED .....17

14. Land and Water Conservation Fund - City and County Grant Recommendations..... 17  
CARRIED AS PRESENTED .....18

15. Chapter 28, Snowmobile and All-Terrain Vehicle Registration Revenue Cost-Share Program and Chapter 47, Snowmobiles..... 18  
CARRIED AS PRESENTED .....29

16. Brass Bluegill Award..... 29  
INFORMATIONAL .....30

17. Contract with Polk County Conservation Board ..... 30  
CARRIED AS PRESENTED .....30

18. Contract with Iowa Department of Agriculture and Land Stewardship for the Easter Lake Water Quality Improvement Project..... 30  
CARRIED AS PRESENTED .....31

19. Contract with Smith-Root, Inc., for Lost Island Lake Electric Fish Barrier..... 31  
CARRIED AS PRESENTED .....32

20. Division Administrator Remarks ..... 32

21. General Discussion ..... 32  
CARRIED – MEETING ADJOURNED .....33

Upcoming NRC Meeting Dates..... 33

**MEETING MINUTES**

**CALL TO ORDER**

The meeting of the Natural Resource Commission was called to order by the NRC Chair, Margo Underwood, on 05/09/13 at 9:34am.

**COMMISSIONER ATTENDANCE**

Present

Marcus Branstad  
Richard (Kim) Francisco, Secretary  
Dr. Sally Prickett, Vice-Chair  
Phyllis Reimer  
Margo Underwood, Chair

Absent

Dennis Schemmel  
Conrad Clement

**PUBLIC PARTICIPATION**

Perry Wendel, Solon, IA                      Boating Regs – Laws at Lake Macbride and in Iowa  
Ray Weigel, Dubuque, IA                      Positive comments about DNR Personnel – Green Island

**1. NRC COMMISSIONERS**

**1.1 OATH OF OFFICE**

Director Gipp swore in Phyllis Reimer and Marcus Branstad to the Natural Resource Commission.

**1.2 INTRODUCTION OF COMMISSIONERS**

Each Commissioner and staff present introduced themselves and provided background information.

**2. APPROVAL OF AGENDA**

Motion - Commissioner Prickett moved to approve the agenda with the movement of item 16 (Brass Bluegill Award) to after the approval of the agenda and to remove 10.2 from the consent agenda.  
Seconded – Commissioner Francisco  
Decision – Approved by Unanimous Vote

CARRIED AS AMENDED

**3. ELECTION OF NATURAL RESOURCE COMMISSION OFFICER**

Commissioner Francisco nominated Margo Underwood as NRC Chair. No other nominations.  
All in favor of nomination; Chair elected.

Commissioner Francisco nominated Sally Prickett as NRC Vice Chair. No other nominations.  
All in favor of nomination; Vice Chair elected.

Commissioner Prickett nominated Kim Francisco as NRC Secretary. No other nominations.  
All in favor of nomination; Secretary elected.

NOMINATIONS APPROVED AND ELECTED

**4. APPROVE MINUTES OF 04/11/13 NRC PUBLIC MEETING**

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

CARRIED AS PRESENTED

3. DIRECTOR'S REMARKS

Director Gipp shared information about the Leadership Team meeting and tour held yesterday and provided an update on the status of the legislature, budget, and a bill in the legislature regarding land access, the possible defeasance of Honey Creek Resort bonds, and Chronic Wasting Disease.

6. HONEY CREEK RESORT STATE PARK UPDATE

Chuck Corell presented information on budget, marketing, and public relations.

INFORMATIONAL

7. ENGINEERING CONSTRUCTION PROJECTS

7.1. COLD SPRINGS STATE PARK, SW REGIONAL OFFICE ADDITION AND REMODEL

Cass County- Project # 13-04-15-01 **Project Summary:** This project will accommodate the growing staff at the new centralized SW Regional Office. Fisheries & Wildlife currently have offices in this building and will be joined by Parks' staff. The SW Regional Office was originally constructed in 1970. It was designed for six CRD staff. A two person Fish Research Team was added in 1972. To accommodate this additional staff the conference room at the north end of the building was divided into two offices. The building has remained unchanged since this modification. Although no additional staff have been added, space has become very tight with the modernization of work equipment including computer stations and additional laboratory equipment. Recently, the Department has decided to locate the regional Parks Supervisor to this office to improve communication and reduce building maintenance at the Green Valley office. Also, this office location frequently serves as a meeting place for staff including training purposes, staff meetings, and other interdepartmental meetings. Currently, there is only one bathroom to accommodate nine staff consisting of both genders. **Function of the Project:** To house the increasing number of staff at the SW Regional Office location. This building serves as the CRD's SW Iowa Regional Office to include Fisheries, Wildlife, Law Enforcement, and Parks Bureaus supervisors and staff. **Construction Needed:** Excavation, grading, utility hookup, building erection, concrete form-work and finishes. The existing building will remain and a new 1,200 sf addition will house two new open offices, one 12 person conference/break room and a restroom. The existing building will have two offices converted into a modern laboratory with fume hood. The exterior of the building will pattern after the original building. The site will be minimally disturbed. **Green Features:** New energy efficient lighting, energy efficient siding and insulation, and improved sewer function.

- DNR Project Manager:** Ryan Richey, NCARB; Engineering Bureau
- Designer:** Ryan Richey, NCARB; Engineering Bureau
- DNR Inspector:** Mark Johnson, Engineering Bureau
- Operating Bureau:** Fisheries
- Funding Source:** 85% F&W Trust-Fisheries Non-Habitat Stamp & 15% Infrastructure 2012
- Cost Estimate:** \$275,000.00
- Plans Issue Date:** 03/25/13
- Bid Letting Date:** 04/18/13
- Plan Holders:** 10
- Number of Bids Received:** 4

**Bidders**

Hymbaugh Construction	Mt Ayr, IA	\$296,176.00
Cornerstone Commercial Contractors Inc.	Corning, IA	\$376,690.93
MPS Engineers	Des Moines, IA	\$443,155.00
Vieco Development & Construction	Saint Joseph, MO	\$476,996.00

**IDNR recommends awarding the Bid to Hymbaugh Construction.**

Motion – Commissioner Francisco  
Seconded – Commissioner Prickett

Decision – Approved by Unanimous Vote
---------------------------------------

CARRIED AS PRESENTED
----------------------

## 7.2. MAQUOKETA/GREEN ISLAND WMA, CHANNEL CLEAN-OUT

Jackson County-- Project # 12-06-49-03 **Project Summary:** This project includes the removal of accumulated silt from an existing boat access channel and the construction of a new boat access channel into the Blake's Lake portion of the WMA. The Green Island Wildlife Management Area contains roughly 3,500 acres of Mississippi River floodplain wetland habitat. This area is intensely managed for waterfowl and has some of the most intensive duck hunting on public land. Wetland management on this area utilizes an extensive system of levees, dikes, channels, control gates, and pumping infrastructure; all of which require continued maintenance. This project focuses on enhancing the east pool of the area, approximately 1,000 acres of wetland. This area is open to public hunting and trapping. The channel named "Fifth Channel" bisects the east pool. Prior to this area coming under DNR management, the channel originally served as a drainage ditch. This channel was designed to provide the primary means of water level management, or drawdown capability, for the east pool. This channel also provides an enhanced area for fish movement and habitat; and serves as primary public access. Currently, due the silting in of the channel, the management and public access to this area has been lost. Sedimentation of the channel has occurred over a long period of time and floods have broke through the main levee which compound the problem. The channel was last dredged in 1986. **Function of the Project:** The project will provide for improved Wildlife management of the wetland impoundment in the Green Island WMA, as well as restore boat access to the wetland for hunters and avid bird watchers. The seasonal management of the impoundment water levels will enhance the area for increased growth of plants that are beneficial for waterfowl and other wetland species of wildlife. This project will help regain management capabilities on the east pool of Green Island. With the restored ability to move water appropriately throughout this wetland system, managers will be able to promote the growth of wetland vegetation, solidify bottom sediments, increase water quality and clarity, and create an overall healthier and more attractive wetland ecosystem. This will promote a greater abundance and variety of aquatic life forms, especially plants and invertebrates, which will lead to better habitat and greater abundances of fish and wildlife. Public access will greatly benefit from this project as well. Under current conditions, boat access is very difficult for most users. The restored channel and new side channel will allow different types of boats to have improved access to the east half of Green Island. Habitat and access improvements will serve to create new opportunities for hunters, trappers, and anglers, as well as help disperse user pressure on the resource. The Fisheries Bureau also supports this channel dredging project because of its potential to positively impact the local fishery. The deepened channel will provide improved fish movement corridors, possible overwintering sites, and bottom structure diversity. Channel dredging should help overall fish survival in this shallow water system, especially during drought events or drawdowns. In conjunction with the proposed future Fisheries dredging projects on this area, there is great potential to improve the local fishery and angling opportunities, while complementing with marsh management and wildlife objectives. **Construction Needed:** The project will require the mechanical removal of silt from an existing 9,100' channel and construction of a new 2000' channel. Along with the excavation, minimal grading will be necessary for drainage of spoil material and site restoration. Switch Grass seeding and Button Brush seedlings will be supplied by contractor. DNR staff will identify key locations and plant the seeds and seedlings. The dredging project on the Fifth Channel will consist of mechanically removing the silt from the existing channel to an established bottom depth that will allow maximum water conveyance capability. The excavated channel will have a ten foot bottom width, and sides that will be sloped to a ratio of 2:1. These parameters will help ensure that the channel does not experience sloughing following excavation. The spoil will be side-casted onto, or on the backside of, the existing berm. The spoil will settle and decant, and planting of native grass and shrubs will further stabilize it. This channel is approximately 9,100 feet long, running from the boat ramp to the outlet structure on the Mississippi River levee (where Green Island's water is let out). A lateral channel of the same cross sectional dimensions will be constructed running east from the Fifth Channel out to the open pool named Blake's Lake. This side channel will be 2,000 feet long. This channel will provide the same benefits that the Fifth Channel provides, allowing better and more complete management of the wetland system, and much improved access.

**Green Features:** This project will enhance the wetland by excavating sediment from the channel bottom. The project will increase the ATTZ (Aquatic-Terrestrial Transition Zones), reducing wind fetch, and creating topographic diversity for the entire wetland complex. (Wind fetch is defined as the uninterrupted distance over which the wind blows without a significant change in direction. Fetch is a factor in the development of waves formed by the transfer of wind energy into water.) *ATTZ: River flood plain systems consist of an area surrounding a river that is periodically flooded by the overflow of the river as well as by precipitation, called the aquatic/terrestrial transition zone (ATTZ). The ATTZ is the area covered by water only during the flooding. This flooding in turn creates unique habitat that is essential to the survival of many different species.*

**DNR Project Manager:** Bruce Flippin, PE; Engineering Bureau

**Designer:** Bruce Flippin, PE; Engineering Bureau

**DNR Inspector:** Bruce Flippin, PE; Engineering Bureau

**Operating Bureau:** Wildlife

**Funding Source:** 100% Marine Fuel Tax

**Cost Estimate:** \$95,000.00

**Plans Issue Date:** 03/25/13

**Bid Letting Date:** 04/18/13

**Plan Holders:** 13

**Number of Bids Received:** 6

**Bidders**

H & H Construction & Development LLC	Sabula, IA	\$75,260.00
Water Works Docks and Boat Lifts Inc.	Stoddard, WI	\$83,500.00
Ag & Turf Construction LLC	Davenport, IA	\$120,000.00
Newt Marine Service	Dubuque, IA	\$125,680.00
Ardo Schmidt	Preston, IA	\$179,675.00
Connolly Construction Inc.	Peosta, IA	\$445,000.00

**IDNR recommends awarding the Bid to H & H Construction & Development LLC.**

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

CARRIED AS PRESENTED

**7.3. CHARITON RESEARCH STATION AT RED HAW STATE PARK, PARKING LOT**

Lucas County-- Project # 12-05-59-04 **Project Summary:** This project consists of the construction of a concrete (PCC) parking lot to serve the needs of the Chariton Research Station Campus and pave the floor of a 30'x 60' storage building with concrete. The Chariton Research Station Campus is located at Red Haw State Park in south central Iowa, one mile east of Chariton, IA on Hwy 34. The research campus currently consists of a dormitory building (built in the 1970's by the federal government for the Young Adult Conservation Corps Program and later offered to the DNR), an older unheated storage building, a relatively new storage building built in 2008 (with 1 heated stall and 3 unheated stalls), and an office building housing four full time DNR staff, and in recent years up to an additional 6-temporary/intern part time fisheries or wildlife staff. The existing infrastructure on the research campus has existed for over 40 years with minimum capital improvements. The buildings on the campus had visible open gaps around rotting windows and rotting exterior doors, rodent problems, leaking roofs, inefficient energy use (heating/cooling/electrical), water leakage into basements, and general disrepair of the entire campus. The facilities' poor conditions has impacted staff's research in an inefficiently manner and the degraded appearance of the building has left a negative impression to the public who frequent these facilities. Updates and improvements have recently been made to fix problems areas and install energy efficiencies in the campus buildings. This paving project is the last phase of the recent efforts to update the facility. This project consists of two main components: (1) pave a portion of the most heavily used gravel parking lot and replace the existing sidewalk near the office building with concrete and (2) replace the asphalt flooring in the older unheated storage building with concrete. 15 years ago, the parking lot was surfaced in asphalt but was in a disrepair state.

The asphalt was removed to its gravel base. **Function of the Project:** The Chariton Research Station currently uses a gravel parking lot which has poor drainage. This project will correct drainage issues and resurface the parking area with concrete. This project will fix the water drainage issues around current buildings. Other improvements include improving access for disabled/handicapped clients to the office building, providing an efficient surface for snow removal, and protecting the State’s investment of new flooring in the office building. Replacing the asphalt surface in the cold storage building will expand the interior “net shed” (a mouse-proof, wire enclosed structure housing fishing and rocket propelled wildlife nets). The asphalt flooring presently in this building has uneven surfaces, gaps, and cracks that make it difficult to “mouse proof.” An even, hard surface of the net shed is needed. Currently, many expensive nets are stored out of the protective structure due to lack of space, and are susceptible to rodent damage. A new floor will, also, help position boats for increased storage space. **Construction Needed:** Rock will be removed from the existing parking area and will be stockpiled for use as base under the new surface. The subgrade will then be cored out and shaped as needed to correct drainage. Then the subgrade will be compacted and rock will be placed on the subgrade. The rock will be graded and compacted before concrete is placed. Two culverts will be added to gather stormwater and then discharged to a grassed waterway. **Green Features:** The existing rock surfacing will be recycled and reused as base under the new pavement. Concrete pavement is considered a recyclable product at the end of its useful life as it can be crushed to be used as rock base or as rock surfacing or left in larger sections to be used as riprap. Due to low soil porosity, a rain garden or bioretention swale is not possible at this site. Stormwater will be discharged into a grass swale. Concrete was selected due to its low maintenance needs. It should last at least 25 years before repairs are needed. Asphalt usually needs a new surface of asphalt applied every 10 years.

- DNR Project Manager:** Jason Kruse, PE; Engineering Bureau
- Designer:** Jason Kruse, PE; Engineering Bureau
- DNR Inspector:** Jason Kruse, PE; Engineering Bureau
- Operating Bureau:** Fisheries
- Funding Source:** 100% F&W Trust – Fisheries Non-Habitat Stamp
- Cost Estimate:** \$68,000
- Plans Issue Date:** 03/25/13
- Bid Letting Date:** 04/18/13
- Plan Holders:** 16
- Number of Bids Received:** 9

**Bidders**

C Cox Concrete LLC	Indianola, IA	\$54,427.61
Hill Contracting	Leon, IA	\$66,688.10
Joiner Construction Co. Inc.	Plano, IA	\$71,225.40
McGee Concrete & Landscaping	Russell, IA	\$72,657.36
TK Concrete Inc.	Pella, IA	\$79,917.20
TEK Builders Inc.	Mt Ayr, IA	\$80,718.68
Hanson Construction LLC	Clear Lake, IA	\$90,135.00
MPS Engineers	Des Moines, IA	\$99,980.20
Absolute Concrete Construction	Slater, IA	\$108,378.85

**IDNR recommends awarding the Bid to C Cox Concrete LLC.**

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

CARRIED AS PRESENTED

**7.4. IOWA STATE FAIRGROUNDS, IOWA DNR BUILDING – REROOF AND RENOVATION**  
 Polk County- Project #14-05-77-03 **Project Summary:** The presence of the DNR at the State Fair is considered an invaluable public relations tool for our agency. Nowhere else, during the course of the year, do we have the opportunity to interact with thousands of people at one time. The Department has had a presence at the Fair for

more than 100 years and our building, aquarium, and courtyard are a part of our history and the Fair's. Unlike other facilities on the fairgrounds, the DNR building, aquarium, and courtyard are DNR property and we are responsible for their maintenance. For the safety of the public visiting our building and grounds, for our employees working there, and to maintain or improve the condition of our property, we have identified three key areas in need of attention: repairing the roof, providing an ADA compliant restroom, and improving security lighting. Due to the leaks in the roof, considerable damage has occurred to the brick of the shell structure of the DNR building. To remedy this, the roof will be removed and replaced with a new fully-adhered Ethylene Propylene Diene Monomer (EPDM) roof. Along with electrical and plumbing repairs to the restroom, it will be constructed to be ADA compliant to meet code requirements. To improve security and safety, there is a need for better lighting around the building at night. New LED site lighting will provide illumination to counter security issues. **Function of the Project:** To provide needed maintenance to this historic building and to create a cleaner and safer environment for the public and staff. **Construction Needed:** Demolition, tree trimming, roofing, plumbing and electrical. **Green Features:**

- Motion detecting LED lighting (25% – 100% during motion detection)
- ReWall board for the restroom area
- Low-flow fixtures for the restroom
- Low-albedo roofing; reflecting sunlight back into space, reducing heat load

*(Albedo, or reflection coefficient, is the reflecting power of a surface. It may be expressed as a percentage, and is measured on a scale from zero for no reflecting power of a perfectly black surface, to 1 for perfect reflection of a white surface.)*

**DNR Project Manager:** Ryan Richey, NCARB; Engineering Bureau  
**Designer:** Ryan Richey, NCARB; Engineering Bureau  
**DNR Inspector:** Jason Kruse, PE; Engineering Bureau  
**Operating Bureau:** Director's Office  
**Funding Source:** 100% REAP LM  
**Cost Estimate:** \$190,000.00  
**Plans Issue Date:** 04/12/13  
**Bid Letting Date:** 05/01/13  
**Plan Holders:** 17

**Number of Bids Received:**3

**Bidders**

Munro Construction Company	Johnston, IA	\$151,400.00
BluePrint Homes LLC	Urbandale, IA	\$157,249.00
Blue Ribbon Builders	Earlham, IA	\$198,336.00

**IDNR recommends awarding the Bid to Munro Construction Company.**

Motion – Commissioner Prickett Seconded – Commissioner Reimer Decision – Approved by Unanimous Vote
---

CARRIED AS PRESENTED
----------------------

**7.5. GREEN VALLEY STATE PARK, RECREATIONAL TRAIL**

Union County-- Project #12-04-88-01 **Project Summary:** To install an 8-foot wide concrete recreational trail around the eastern side of the lake at Green Valley State Park. This will connect the Green Valley campground with the existing trail which extends from the city of Creston. The trail will be concrete surfaced and will connect with a portion of the trail which extend across Mitchell Marsh (state owned public ground). DNR has built the Mitchell Marsh segment (1 mile) several years ago to connect to the City of Creston's trail segment which extends north of the city limits. **Function of the Project:** To provide recreation to the general public through the use of this trail. The project will complete the connection between the city of Creston and the state park. Future plans include the completion of a surfaced trail around the entire perimeter of Green Valley Lake. **Construction Needed:** This project consists of installing an 8-foot wide concrete recreational trail with granular sub-base and will require clearing, grading, culvert pipes, seeding, fertilizing, mulching disturbed areas and

highway signage. **Green Features:** Green features to be incorporated in the project include the use of recycled asphalt millings which were obtained from the Union County highway department for use as a sub-base for the trail and the use of materials from the demolition of the abandoned beach building for fill which will cut down on the amount of rip rap needed for the project.

**DNR Project Manager:** Brett Johnson, PE; Engineering Bureau  
**Designer:** Brett Johnson, PE; Engineering Bureau  
**DNR Inspector:** Mark Johnson, Engineering Bureau  
**Operating Bureau:** Parks and Preserves  
**Funding Source:** 100% Iowa Values Fund  
**Cost Estimate:** \$809,341.00  
 Capital Links #188 & #189  
**Plans Issue Date:** 4/12/13  
**Bid Letting Date:** 5/01/13  
**Plan Holders:** 12  
**Number of Bids Received:** 6

**Bidders**

Ag & Turf Construction LLC	Davenport, IA	\$734,719.88
Carley Construction LLC	Treynor, IA	\$753,366.40
Absolute Concrete Construction Inc.	Slater, IA	\$848,000.00
Godbersen-Smith Construction Co.	Ida Grove, IA	\$924,407.60
Jasper Construction Services Inc.	Newton, IA	\$931,934.00
MPS Engineers	Des Moines, IA	\$999,748.00

**IDNR recommends awarding the Bid to Ag & Turf Construction LLC.**

Motion – Commissioner Francisco  
 Seconded – Commissioner Underwood  
 Discussion – Commissioner Prickett expressed concerns about the size and cost of the concrete trail versus using the funds for another purpose. Kevin Szcodronski, State Parks Bureau Chief, provided information about the project, the connectivity to the City of Creston trail, the multi-use of the trail, and the reason for the continuous, seamless paved trail determination.  
 Decision – Denied as Presented (2 nays-Commissioners Prickett and Branstad)

DENIED AS PRESENTED

**8. SPRINGBROOK STATE PARK SHOWER BUILDING - CHANGE ORDER 1**

GUTHRIE / FRANKLIN -- PROJECT # 13-04-39-04 / 14-02-35-01 **Project Summary**

**Springbrook:** This Project consists of demolition an existing shower building, the procurement and installation of a precast concrete shower building, necessary sewer, water, and electrical utilities, concrete flatwork, site restoration and incidental items as required by the project documents and the DNR construction inspector. **Beeds Lake:** This Project consists of demolition an existing shower building, the procurement and installation of a precast concrete shower building, necessary sewer, water, and electrical utilities, concrete flatwork, site restoration and incidental items as required by the project documents and the DNR construction inspector. **Detail:** At the time of delivery of the precast building and crane, we were notified the DOT would not allow the crane or loaded semi truck and trailers to cross the bridge into the park campground. This bridge, a 1934 four bay box culvert, is the only vehicle access into Springbrook State Park where the building is to be installed. The DNR presented the DOT with a shoring plan to temporarily add capacity to the bridge as the three semi trucks were parked and awaiting directions and approval. After much discussion, the DOT reported that they were not going to allow the construction vehicles to use the bridge, regardless of the shoring method used, and suggested we build an alternate road. To reduce additional costs for delivery, as the trucks were standing by with the building modules, it was decided to move the building to the Beeds Lake State Park campground where two shower buildings are scheduled to be replaced. The building was delivered to Beeds Lake State Park on Friday, April 19, 2013, and was placed adjacent to the existing 1965 shower building. There will be no need for additional trucking. When the new pad is prepared on the site of the existing building, a crane will lift and place the modules onto the

pads. All utilities are existing and were recently upgraded. After careful consideration, proposing a change order on the current Springbrook contract for Commission approval is the most efficient mechanism to accomplish the work necessary to install the building at Beeds Lake. The building is warranted by the current contractor, Caliber Concrete, who is willing to do the work at Beeds Lake. The change order will include demolition of the 1965 building at Beeds Lake, preparation of a rock pad with utility stub ups and erection of the building. The shower buildings at Beeds Lake State Park were already included in a plan to be replaced in the fall of 2013. A future contract will be required to provide a structure at Springbrook and utilize the work already completed. This future structure may or may not be a precast building depending on the replacement timing of the existing bridge at Springbrook, which is being coordinated. **Function of the Project:** The existing shower building has outlived its design life and is in need of replacement. The purpose of this project is to replace the old shower building at the east end of the campground with precast concrete shower building. **Construction Needed:** Work includes demolition of existing building and constructing a new foundation at this location, installation of underground utilities, setting of precast concrete building and provide concrete access and two parking stalls.

- DNR Project Manager:** Mandi Aldrich-Peters, PE; Engineering Bureau
- Designer:** Mandi Aldrich-Peters, PE; Engineering Bureau
- DNR Inspector:** Don Labate, PE; Engineering Bureau
- Operating Bureau:** Parks
- Funding Source:** 100% Infrastructure 2013
- Current Contract Amount:** \$270,087.81
- Contractor:** Caliber Concrete LLC
- Change Order Estimate:** \$46,025.78

Change order Breakdown

Costs incurred at Beeds Lake	\$47,984.09
Costs for trucking delay and additional crane charge	\$7,250.00
Deducts at Springbrook	(\$9,208.31)

**IDNR recommends approving Change Order No. 1**

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

CARRIED AS PRESENTED

**9. SMALL CONSTRUCTION PROJECTS**

The following projects have been let utilizing the Competitive Quotation process for projects \$100,000 or less:  
 The following Engineering managed 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
3/21/2013	13-04-15-02 Fisheries	Lake Anita State Park	Cass	Mechanically dredge the sediment pond, hauling material and disposing of it on-site as well as the modification of an existing concrete box culvert.	\$70,000	<b>\$41,100.00</b> \$54,157.00 \$59,349.00 \$59,992.00 \$76,381.77 \$84,840.00 \$106,763.04

3/21/2013	11-03-31-02 Parks	Mines of Spain State Parks	Dubuque	Repair flood damage consisting of erosion of 6 hiking and ski trails as well as parking lots and timer retaining wall.	\$92,000	<b>\$38,575.00</b> \$55,085.76 \$68,074.00 \$70,987.00 \$88,444.67 \$89,312.95
4/11/2013	14-01-30-01 Wildlife	Welsh Lake WPA	Dickinson	Excavation of 1,139 ft of channel, 290 ft of 8" tile installation, tile breaks, and erosion control measures.	\$36,000	<b>\$11,667.25</b> \$34,348.00 \$35,414.08 \$38,301.30 \$73,326.00
4/18/2013	13-05-59-02 Fisheries	Williamson Pond	Lucas	Construction of a concrete boat ramp and rock surfacing of an adjacent parking lot.	\$21,000	<b>\$14,745.07</b> \$15,537.01 \$16,007.30 \$16,990.11 \$18,016.36 \$19,150.25 \$22,380.36 \$24,268.43 \$24,999.00 \$25,400.25 \$29,566.88
4/18/2013	13-05-64-01 Wildlife	Hendrickson Marsh	Marshall	Placement of riprap with revetment grout at the outlet of the spillway.	\$20,000	<b>\$22,306.00</b> \$26,365.94 \$32,294.10 \$36,046.00 \$36,796.00
4/18/2013	09-06-52-08 Wildlife	Hawkeye WMA	Johnson	Repairing a scour hole with broken concrete and incidental work as required.	\$67,930	<b>\$23,430.60</b> \$24,447.00 \$29,991.00

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

Bid Date	Contract No.	Location	County	Summary	DNR Engineering Consultant	Bids
3/26/13	13PI- CRDWB007- C90011EANDE	Little Sioux Delta Access	Harrison	Remove 381 cubic yards of sandy sediment and place on designated disposal site. Resurface lane and parking area with 286 tons of Class D crushed white rock.	Mark Johnson	<b>\$9,208.00</b> \$11,723.00

INFORMATIONAL

**10. LAND ACQUISITION PROJECTS**

**10.1 IOWA LAKE MARSH WMA – KOSSUTH CO. – MORRALL**

The Natural Resource Commission is requested to approve the acquisition of a tract of land located 8 miles North of Armstrong and one-half mile south of the Minnesota border. This 5-acre parcel is offered by Alan Morrall for the appraised value of \$42,000.00. The land was appraised by Greg Tritle, Vander Werff and Associates, Inc., Sanborn, Iowa. Jerry Gibson negotiated the option. The subject tract contains 5 acres of cropland adjacent to a proposed Fish & Wildlife Service acquisition that will be managed by the Iowa DNR. The 5-acre tract is needed to enable the restoration of a ten-acre wetland on the adjacent tract. The land also borders state-owned land to the north. The Wildlife Bureau will manage the land as part of the larger wetland complex. A three acre parcel in the same location was approved by the Natural Resource Commission on September 13, 2012. Kossuth County ordinances prohibit the conveyance of rural agricultural land of less than five acres. Kossuth County officials denied the landowner’s request to sell the 3 acres. Acquisition funding will be 100% Wildlife Habitat Stamp. Surveying is estimated to cost \$1,500.00. Incidental closing costs will be the responsibility of the Department. The property will remain on the property tax rolls. Staff recommends approval of the land acquisition.

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

CARRIED AS PRESENTED

**10.2 HOTTES LAKE WMA – DICKINSON CO. – MASER**

The Natural Resource Commission’s approval is requested to accept the donation of a one acre (or less) permanent easement on and across land that lies between the connection of East and West Hottes Lake. Hottes Lake is northwest of the Town of Spirit Lake, and just west of the west shore of Big Spirit Lake. The easement will allow for the installation, maintenance, and permanent placement of an earthen embankment that will facilitate the construction of a water control structure and pump. This will enable the DNR to better control the water levels in Hottes Lake for management of aquatic vegetation and rough fish. The permanent easement will be monitored by the Wildlife Bureau in accord with the area management plan. Jerry Gibson negotiated the permanent easement. Incidental closing costs will be the responsibility of the Department. Staff recommends approval of the easement acquisition.

Motion – Commissioner Branstad  
 Seconded – Commissioner Francisco  
 Discussion – Travis Baker reported that the donor was the E.W. Maser Trust.  
 Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

**10.3 GLADFELTER MARSH WMA – HANCOCK CO. – INHF**

The Natural Resource Commission is requested to approve the acquisition of a tract of land located one mile southeast of Crystal Lake, Iowa. The 48.55-acre tract is offered for \$89,000, and was appraised on February 14, 2013 for \$94,000. INHF acquired the tract in September 2012 for \$81,427.00. Licensed appraiser, Fred Greder of Benchmark Agribusiness, Mason City, Iowa submitted the appraisal. The purchase agreement was negotiated by Jerry Gibson. The subject tract has 39.06 acres encumbered by a WRP easement; 6.54 acres of fair cropland; 1.3 acres of marginal cropland; and 1.65 acres of road right-of-way. The property is adjacent to Gladfelter Marsh on the south and east borders which will allow for the restoration of a wetland basin that is half on state-owned land. There are no building improvements. Acquisition funding will be Prairie Lakes 4 NAWCA Wetland Initiative. Incidental closing costs will be the responsibility of the Department. Staff recommends approval of the land acquisition.

Motion – Commissioner Francisco  
 Seconded – Commissioner Branstad

Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

**10.4 WATERMAN CREEK PRAIRIE WMA – O’BIEN CO. – INHF**

The Natural Resource Commission is requested to approve the acquisition of a tract of land located in O’Brien County. This 80-acre tract is offered by the Iowa Natural Heritage Foundation for \$254,500.00. The tract appraised for \$336,000.00. The Foundation acquired the property for \$314,000.00 in March 2012. The appraisal was submitted by licensed appraiser, Greg Tritel of Vander Werff and Associates, Inc., Sanborn, Iowa. The purchase agreement was negotiated by Jerry Gibson. The property is located 3 miles south and 3 miles east of Sutherland. The property consists of 43.8 acres of tillable ground, and 36.2 acres of non-cropland, of which, 22 acres are virgin prairie. The average CSR on the cropland is 47. Access is from county road Yellow Avenue in the northwest corner which is one quarter of a mile from Iowa Highway 10. The tract will play an important role in the development and management of Waterman Creek Prairie. The property will be managed by the Wildlife Bureau. Acquisition funding will be REAP-Public/Private (\$219,500.00) and the Ted Farris Estate (\$35,000). The tract will remain on O’Brien County property tax rolls. Incidental closing costs are the responsibility of the Department. Staff recommends approval of the acquisition.

Motion – Commissioner Reimer

Seconded – Commissioner Branstad

Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

**10.5 GOODALE CONSERVATION AREA – CHICKASAW CO. – INHF**

The Natural Resource Commission is requested to approve the acquisition of a tract of land located 5 miles west of Alta Vista, or 13 miles northwest of New Hampton. This 160-acre parcel is offered by the Iowa Natural Heritage Foundation for \$410,000.00. The land was appraised for \$560,000.00, and was acquired by the Foundation for \$393,400.00 in October 2012. Licensed appraiser, Fred Greder of Benchmark Agribusiness, Mason City, Iowa submitted the appraisal. The purchase agreement was negotiated by Jerry Gibson. The subject tract contains 58.7 acres of tillable land, 28.93 acres of permanent pasture, 66.3 acres of lightly wooded river channel, and 6.07 acres of road right-of-way/waste. The majority of the east 80 acres is within the first bench of the Wapsipinicon River, and is subject to regular flooding. The east 80 acres is also adjacent on the north boundary to public conservation land owned by the Chickasaw County Conservation Board. The building is a wood-clad utility shed of no contributory value. The property has public access from Asherton Avenue on the west. The Wildlife Bureau will restore the cropland and pasture to shallow wetlands and native prairie species with some acreage retained as food plots for winter wildlife. The tract has a potential to support Blandings Turtles and Red-Shouldered Hawks. Acquisition funding will be \$220,000 from Cedar-Wapsi Valley Wetlands 2 NAWCA, \$174,500 from Wildlife Habitat Stamp, \$15,000 donation from Pheasants Forever, and a \$500 donation from the Izaak Walton League. Incidental closing costs will be the responsibility of the Department. The property will remain on Chickasaw County property tax rolls. Staff recommends approval of the acquisition.

Motion – Commissioner Branstad

Seconded – Commissioner Reimer

Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

**10.6 WEST FORK WMA – BUTLER CO. – INHF**

The Natural Resource Commission’s approval is requested to purchase a permanent easement on a tract of land located in Butler County in close proximity to the state-owned West Fork Wildlife Management Area (WMA). INHF offers this 42.4-acre easement for \$37,646. The Natural Resources Conservation Service (NRCS) has purchased a 30-year Wetland Reserve Program (WRP) easement on this tract for 75% of the value of a permanent easement. Funding was provided under the Iowa-Cedar Headwaters Wetland Initiative, a partnership agreement

established on April 5, 2011, between the DNR and NRCS through provisions of the Wetland Reserve Enhancement Program (WREP). Eligibility for the 30-year WRP easement was conditional on the landowner agreeing to sell a permanent water quality protection easement to the State of Iowa for 25% of the value of the permanent easement. Under the WREP program, DNR submitted a proposal to address priority wetland protection, restoration, and enhancement in the Upper Reaches of the Iowa and Cedar River Watersheds. WREP is a voluntary conservation program designed to foster coordination with eligible partners and to encourage eligible landowners to enroll their property into perpetual and 30-year conservation easements for the purposes of restoring, protecting, and enhancing wetland and associated grassland and woodland habitats. The project proposes to work with 14 landowners to place 1,173 acres under a combination of permanent and 30-year WRP easements. The project further proposes that state monies will be used to purchase permanent easements in tandem with the 30-year WRP easements from 7 landowners on 534 acres. The landowner has also signed up to enroll the property in the Iowa Habitat Access Program (IHAP), and the property will be open to public hunting for a period of 5 years once the wetland and other habitat restoration has been completed. Acquisition funding will be \$37,646 from State Revolving Fund non-program income under the General Nonpoint Source Program. Incidental closing costs will be the responsibility of the Department. Staff recommends approval of the permanent easement acquisition.

Motion – Commissioner Francisco  
 Seconded – Commissioner Prickett  
 Discussion – Chuck Corell provided information regarding the Iowa Habitat Access Program.  
 Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

**11. LAND MANAGEMENT PROJECTS**

**11.1 PIONEER STATE PARK – MITCHELL CO. – MITCHELL CCB**

The Mitchell County Conservation Board has requested that the State transfer title of the 14 acre state owned Pioneer State Park to the County for no monetary consideration. The Commission is requested to recommend a title transfer to the Executive Council. Upon approval by the Executive Council, title will be transferred to Mitchell County by state patent. The State of Iowa acquired the park in 4 parcels from the 1930’s to the 1950’s. In 1974 the Department entered into an agreement with the Mitchell County Conservation Board transferring management of the park for a period of 25 years. In 1999 the agreement was renewed for another 25 years. Since that time the County has made several capital improvements to the area. These improvements include constructing campsites, drilling a new well, installing electrical service, and making repairs to the shelter house. Receiving funding and additional support for improvements would be more achievable if the park was owned, managed, and maintained under the same agency. Iowa Code Section 461 A.32 allows for the proposed conveyance without consideration, and requires that the conveyance contain a reversion provision that provides if such lands cease to be used as a public park, title will revert to the state. Staff recommends approving the transfer.

Motion – Commissioner Francisco  
 Seconded – Commissioner Branstad  
 Discussion – Adam Shirley, Stan Walk, and Brian Huffman, Mitchell County representatives, provided information regarding the benefits of the requested land transfer, future park expansions, and the current and future facility management.  
 Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

**\*11.2 THREE MILE LAKE – UNION CO. – SOUTHERN IOWA RURAL WATER ASSOCIATION (SIRWA)**

The Natural Resource Commission is requested to approve the issuance of a permanent water line easement to the SIRWA to construct and maintain a water line across state owned land at Three Mile Lake in Union County. The water line extension will provide water to a shooting range that is under management agreement with the Union

County Conservation Board. The easement area consists of a 50' wide strip of land adjacent to the existing road. Staff recommends issuance of the easement.

CARRIED UNDER CONSENT AGENDA

**\*11.3. BURK WMA – LEE CO. – LEE CCB**

The Natural Resource Commission is requested to approve a renewal of a management agreement between the Lee County Conservation Board and the DNR to authorize County management of Burk Wildlife Area through December 31, 2037. Burk Wildlife Area is located on Highway 61 approximately six miles north of Fort Madison, Iowa. The agreement covers 56 acres. The area is primarily timber with some open pastureland and is rich in plant and animal species. The area is excellent for hunting, upland, hiking, birding and other outdoor activities. Lee CCB has managed the property since 1987 desires to continue its management. The agreement will be according to the terms and conditions of the standard DNR management agreement.

CARRIED UNDER CONSENT AGENDA

**12. CULTURAL RESOURCE SURVEY CONTRACT WITH UNIVERSITY OF IOWA – AMENDMENT 5**

The Department requests Commission approval of Amendment 5 to a contract with the University of Iowa to perform cultural resource evaluations of DNR properties. This amendment will extend our contract with the University of Iowa for one year, ending June 30, 2014, and increase the contract amount from up to \$150,000 annually to up to \$200,000 annually. DNR originally signed this contract with the University of Iowa in 2009 and it is renewable for up to six years. This amendment is the fourth annual extension of the contract. Amendment 3, approved by the NRC in February 2012, increased the contract amount from \$75,000 to up to \$150,000. This amendment is to ensure funding is available for surveys that will be performed during this fiscal year under identified bureau projects. The DNR is required to evaluate potential impacts to cultural resources as a condition of federal aid funding and to comply with our agreement with the Historical Society of Iowa - State Historic Preservation Office (SHPO). This agreement ensures that DNR complies with state and federal regulations regarding cultural resources. Information derived from these evaluations is used by area managers to protect and avoid impacts to any cultural resources that may be present on DNR properties. The University of Iowa has the expertise needed to perform more complicated surveys and their work will cover a full array of archaeological evaluations needed to meet regulatory requirements.

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

CARRIED AS PRESENTED

**13. CONTRACT WITH CONSERVATION BY DESIGN FOR STATE PARK INTERPRETIVE PANEL DESIGN AND FABRICATION**

The Commission is requested to approve the selection of Conservation By Design at a cost of \$47,550 for the writing, design, and fabrication of interpretive panels for Mines of Spain State Recreation Area’s Woodland Walk. There will be 24 panels, 4 of which will be placed in the new park design guide kiosk, and the remaining 20 on standard bases, within design guide specifications. Signs will be designed to meet all ADA requirements and Iowa State Park templates, color pallets, and icons will be followed. It is the intent that customers will seek out these panels for the interpretive messaging and way finding at each park. It is the intent through self-guided interpretation that visitors will gain a greater understanding and appreciation of the resource visited. An RFP was submitted to approximately twenty (20) firms locally and across the nation to solicit services to help design and fabricate interpretive signs that would meet ADA requirements. The RFP was also posted to the Targeted Small Businesses and the Department’s website. Proposals were received on April 22, 2013, from six firms interested in our design and fabrication needs and all submitted complete proposals. All bids were scored based on Review and Evaluation Criteria as described in the RFP which included their ability to complete the scope of work within the desired timeline, comprehensive communication plan, and description and quality of previous and applicable

work experience. The scoring team selected Conservation By Design at a cost of \$47,550 to design and fabricate interpretive panels for state parks.

Vendor	Vendor Location (city, state)	Score	Rank	Cost
Conservation By Design	Silver City, New Mexico	42	1	\$ 47,550.00
Shive-Hattery	Des Moines, Iowa	36	2	\$ 48,650.00
Wilderness Graphics	Tallahassee, Florida	34	3	\$ 50,380.00
ECOS	Boulder, Colorado	30	4	\$ 56,200.00
Experience Design	Pawtucket, Rhode Island	27	5	\$ 170,000.00
106 Group	St. Paul, Minnesota	22	6	\$ 50,500.00

Motion – Commissioner Francisco  
 Seconded – Commissioner Prickett  
 Discussion – Kevin Szcodronski provided information on the tree selections that will represent each state and that the interpretative panels will expand on each state’s tree and its viability in Iowa’s terrain.  
 Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

**14. LAND AND WATER CONSERVATION FUND - CITY AND COUNTY GRANT RECOMMENDATIONS**

The Commission is requested to approve the ranking of the project applications for the Land and Water Conservation Fund (LWCF) Program, City and County Grants, and award grants to applicants in that ranked order and as funds are available. The Land and Water Conservation Fund is a federal fifty percent cost share grant program. The funds may be used by Iowa’s cities and counties for outdoor recreation projects and is governed by program rules adopted in Chapter 27 of the Iowa Administrative Code. The Department received 25 applications by the March 15, 2013, deadline, comprising of a total grant request of \$1,372,257.43 for over \$12.4M in projects. The five-member review and selection committee, comprised of three department staff and two persons appointed by the Director, with input from the Iowa Association of County Conservation Boards, the Iowa League of Cities, and the Iowa Parks and Recreation Association, scored and ranked the applications based on the criteria established in Chapter 27:

- Relationship to SCORP priorities (Statewide Comprehensive Outdoor Recreation Plan),
- Direct recreation benefits provided,
- Local need, and
- Quality of the site.

In addition, the committee awarded bonus and penalty points, also as established by rule, based on criteria such as: level of prior assistance from the LWCF, special features for the elderly and handicapped; minority populations served, degree of public participation and support, recycled content material use, and level of planning that has preceded the application for a LWCF grant. The U.S. Department of the Interior distributes the LWCF grant funds after their budget is approved, which is usually by the fall of the year. Based on historic data, it is anticipated that Iowa’s apportionment for city and counties grant allocation for outdoor recreation acquisition and development projects will be approximately \$310,250.00. The Department requests that the Commission approve the proposed rankings and approve the Department’s funding of these projects in the order they are listed and as funds are available.

Ranked List of Land and Water Conservation Fund – City and County Grants

	Grant Applicant	Project	Total Project Cost	Grant Amount Requested	Ranked by Score
1	Pottawattamie County Conservation Board	Botna Bend Park Improvements	\$660,846.00	\$87,000.00	74.25

2	Story County Conservation Board	Dakins Lake Expansion - Phase 2	\$375,000.00	\$175,000.00	73.6
3	Polk County Conservation Board	Fort Des Moines Park Outdoor Classroom	\$781,500.00	\$120,000.00	71.8
4	Fayette	Fayette-Volga River Multi-Use Trail	\$200,490.21	\$75,000.00	70.5
5	Rolfe	Rolfe Bathhouse Construction	\$100,000.00	\$50,000.00	69.6
6	Mount Ayr	Mount Ayr Aquatic Center	\$2,226,000.00	\$75,000.00	68.2
7	Adams County Conservation Board	Campground Improvements	\$861,435.00	\$75,000.00	66.2
8	Belmond	City park play equipment	\$34,000.00	\$17,000.00	66.2
9	Jasper County Conservation Board	Ashton Wildwood Park Renovation	\$134,200.00	\$67,100.00	66.2
10	Crawford County Conservation Board	Yellow Smoke Park Cabins	\$100,680.00	\$50,340.00	66.1
11	Page County Conservation Board	Pierce Creek Recreation Area Improvements	\$58,200.00	\$29,100.00	65
12	Stanhope	City of Stanhope park improvements	\$19,775.00	\$9,887.00	64.4
13	Redfield	Redfield RRVT Shelterhouse	\$44,700.00	\$22,350.00	63.6
14	Quasqueton	Veteran's Memorial Park shower & restroom facility	99,000.00	\$49,500.00	63.4
15	Bondurant	Chichaqua Valley Trail Expansion	\$864,838.00	\$75,000.00	63
16	Johnston	Terry Park/Crown Point Project	\$5,200,000.00	\$125,000.00	62.75
17	Fredericksburg	Meinerz Dairyland Swimming pool reconstruction - Phase I	102,756.00	\$50,000.00	61.6
18	Schleswig	Schleswig campground improvements	\$30,300.00	\$15,150.00	59.8
19	Corydon	Walden Park Renovation	\$31,319.00	\$15,500.00	57.2
20	Hopkinton	Hopkinton Zero Depth Pool Entry	\$130,000.00	\$50,000.00	57.2
21	Garnavillo	Adams Court Park Project	\$45,008.00	\$16,983.67	56.2
22	Glidden	Northland Park Walking Trails	\$250,000.00	\$75,000.00	50.8
23	Primghar-golf course	Renovate and upgrade city campground	47,092.00	\$23,546.00	50.8
24	Lee County Conservation Board	Neotropical bird habitat project/Turkey Run	\$12,601.51	\$6,300.76	49.8
25	Primghar-city campground	Irrigation pump station replacement	\$35,000.00	\$17,500.00	37.4

Motion – Commissioner Reimer

Seconded – Commissioner Francisco

Discussion – Kevin Szcodronski provided information regarding the scoring, funding allocation, and REAP eligibility.

Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

**15. CHAPTER 28, SNOWMOBILE AND ALL-TERRAIN VEHICLE REGISTRATION REVENUE COST-SHARE PROGRAM AND CHAPTER 47, SNOWMOBILES**

The Commission is requested to approve the Notice of Intended Action – Chapter 28, “Snowmobile and All-Terrain Vehicle Registration Revenue Cost-Share Program” and Chapter 47, “Snowmobiles.” The Department has completed the initial steps in Executive Order 71 prior to submitting the Notice of Intended Action. The proposed rulemaking implements the action steps identified in a five day process improvement event held by the Department of Natural Resources (Department) with the Iowa State Snowmobile Association (ISSA) in October 2011. The purpose of this event was to work with key stakeholders to revamp the snowmobile cost-share program, as cost-share recipients had long asked for an improved process, clearer selection criteria, and an earlier deadline for submitting applications. After working together for one week, a new and improved program was developed. The proposed rulemaking changes the snowmobile cost-share application submittal date from July 1, to May 1, each year. By moving the cost-share cycle forward, applicants can enter into approved cooperative agreements sooner, allowing for better timing of preseason groomer repairs, trail development planning, and land acquisition such as securing land leases. The proposed rulemaking also provides more detailed project selection criteria for the purchase, repair and operation of grooming equipment, trail development, and land acquisition. It also sets out that the records kept by entities receiving funds under this program are subject to audit by the Department and the State Auditor’s Office. The proposed rulemaking also specifies the requirements for seeking funds for land acquisition such as easements and leases. In addition, the proposed rulemaking provides more clarity on the reimbursement of expenses to ISSA. While existing rule allows ISSA to seek reimbursement of certain expenses pursuant to an agreement with the Department, the proposed rulemaking clarifies the exact types of items eligible for reimbursement. Moreover, the proposed rulemaking provides additional oversight regarding payment to ISSA by mandating that the proposed agreement between ISSA and the Department be subject to selection criteria, review and selection committee recommendation, and approval by the Director of the Department. The proposed rulemaking also moves the snowmobile cost-share program currently in Chapter 28 into the chapter containing other snowmobile rules, Chapter 47. Containing all program-specific rules in the same place is convenient to stakeholders.

#### **NATURAL RESOURCE COMMISSION(571)**

##### **Notice of Intended Action**

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code sections 321G.2 and 321G.7, the Natural Resource Commission hereby gives Notice of Intended Action to amend Chapter 28, “Snowmobile and All-Terrain Vehicle Registration Revenue Cost-Share Program” and Chapter 47, “Snowmobiles,” Iowa Administrative Code.

The proposed rulemaking implements the action steps identified in a process improvement event held by the Department of Natural Resources (Department) with the Iowa State Snowmobile Association (ISSA) on October 3 through 7, 2011. The purpose of this event was to work with key stakeholders to revamp the snowmobile cost-share program, as cost-share recipients had long asked for an improved process, clearer selection criteria, and an earlier deadline for submitting applications. After working together for one week, a new and improved program was developed.

The proposed rulemaking changes the snowmobile cost-share application submittal date from July 1, to May 1, each year (see proposed 571 IAC 47.33(2)). By moving the cost-share cycle forward, applicants can enter into approved cooperative agreements sooner, allowing for better timing of preseason groomer repairs, trail development planning, and land acquisition such as securing land leases. The proposed rulemaking also provides more detailed project selection criteria for the purchase, repair and operation of grooming equipment, trail development, and land acquisition (see proposed 571 IAC 47.36). It also sets out that the records kept by entities receiving funds under this program are subject to audit by the Department and the State Auditor’s Office (see proposed 571 IAC 47.40). The proposed rulemaking also specifies the requirements for seeking funds for land acquisition such as easements and leases (see proposed 571 IAC 47.43). In addition, the proposed rulemaking provides more clarity on the reimbursement of expenses to ISSA (see proposed 571 IAC 47.42(7)). While existing rule allows ISSA to seek reimbursement of certain expenses pursuant to an agreement with the Department, the proposed rulemaking clarifies the exact types of items eligible for reimbursement. Moreover, the proposed rulemaking provides additional oversight regarding payment to ISSA by mandating that the proposed

agreement between ISSA and the Department be subject to selection criteria, review and selection committee recommendation, and approval by the Director of the Department.

The proposed rulemaking also moves the snowmobile cost-share program currently in Chapter 28 into the chapter containing other snowmobile rules, Chapter 47. Containing all program-specific rules in the same place is convenient to stakeholders.

The proposed rulemaking has positive impacts on the state and local economies, supporting existing jobs and growth. By moving the cost-share application deadline from July 1<sup>st</sup> to May 1st, applicants can enter into approved cooperative agreements sooner, allowing for better timing of preseason groomer repairs, trail development planning, and land acquisition such as securing land leases. This ensures that preseason groomer repairs are completed well before the snow season; thus, groomers will be grooming trails rather than making repairs at the first snowfall. A groomed snowmobile trail is not only safer, but attracts riders from across the state and from surrounding states. States with early and consistently groomed trails are more likely to attract riders than states without these services. Snowmobilers have a proven spending record with local businesses such as gas stations, restaurants, hotels, and local snowmobile dealers. Preseason repairs provide a boost to local equipment and parts suppliers, and other related businesses.

A snowmobile economic impact study conducted by Iowa State University indicated that in 2009 -2010 Iowa's 28,265 registered snowmobilers spent an estimated \$76.3 million per year on snowmobile equipment and activities. Of that total expenditure, \$50.3 million was spent in Iowa, with the remaining \$26 million spent on trips out of state. Estimated expenditures by out of state snowmobilers riding in Iowa added an additional \$556,600 of spending for a total of \$50.85 million. The in-state expenditures generated an estimated \$30.4 million in additional transactions within the Iowa economy, resulting in an estimated \$81.3 million in total transactions or sales, \$27.9 million in personal income, and 1,101 jobs. The study concluded that if the state of Iowa could capture the \$26 million that Iowa snowmobilers spent out-of-state, there would be the potential of providing an additional \$41.9 million in total transactions, \$14.5 million in additional household income, and 576 more jobs. See "The Economic Importance of Snowmobiling in Iowa," prepared for ISSA, Daniel Otto, Dept. of Economics, ISU, author.

Capturing the out-of-state trip expenditures is directly related to trail development, maintenance and grooming activities in Iowa. The state of Iowa can facilitate efforts to keep stakeholders riding in Iowa by providing earlier cost-share approvals, leading to earlier preseason groomer repairs, trail development planning and land owner lease agreements. The existing rule limits the aforementioned activities due to the cost-share application deadline's proximity to the snow season. The complete Jobs Impact Statement is available from the Department upon request.

Any interested persons may make written suggestions or comments on the proposed rulemaking on or before June 20, 2013. Such written materials should be directed to David Downing, Iowa Department of Natural Resources, 502 E 9<sup>th</sup> Street, Des Moines, Iowa 50319; fax (515)281-6794; telephone (515)238-3564; or e-mail [David.Downing@dnr.iowa.gov](mailto:David.Downing@dnr.iowa.gov).

Also, there will be a public hearing held on June 20, 2013, at 10:00 a.m., in the 5th Floor East Conference Room of the Iowa Department of Natural Resources' central office at 502 E 9<sup>th</sup> Street, Des Moines, Iowa. Persons attending the public hearing may present their views orally or in writing. At the hearing, persons will be asked to provide their names and addresses for the record and to confine their remarks to the proposed rulemaking.

Any persons who attend the public hearing and have special needs such as hearing or mobility impairments should contact the Department and advise of specific needs.

The proposed rulemaking is intended to implement Iowa Code sections 321G.2 and 321G.7.

The following rulemaking is proposed.

**ITEM 1.** Amend 571--Chapter 28 as follows

CHAPTER 28

SNOWMOBILE AND ALL-TERRAIN VEHICLE REGISTRATION

REVENUE COST-SHARE PROGRAM

**571—28.1(321G 321I) Definitions.**

"*All-terrain vehicle (ATV)*" or "*off-highway vehicle (OHV)*" means a motorized flotation-tire vehicle with not less than three low-pressure tires, but not more than six low-pressure tires, or a two-wheeled off-road motorcycle, that is limited in engine displacement to less than 800 cubic centimeters and in total dry weight to

less than 750 pounds and that has a seat or saddle designed to be straddled by the operator and handlebars for steering control.

“*Commission*” means the natural resource commission.

“*Department*” means the department of natural resources.

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

“*High quality natural area*” means an area that includes high quality native plant communities or highly restorable native plant communities or an area that provides critical wildlife habitat. An on-site evaluation by a qualified person(s) for each proposed site is necessary in making this determination.

“*Local cost-share portion*” means those funds available for use by incorporated organizations or other public agencies through cost sharing, grants, subgrants or contracts.

“*Previously disturbed*” means an area where the plant community has been severely disturbed and has not recovered or the natural (native) plant biota is nearly gone. Such an area has been so heavily disturbed that the plant community structure has been severely altered and few or no higher plants of the original community remain. Examples are newly cleared land, cropland, improved pastureland, severely overgrazed second growth forest, rock-gravel quarries, mines, and sand pits.

~~“*Snowmobile*” means a motorized vehicle weighing less than 1,000 pounds which uses sled-type runners or skis, endless belt-type tread, or any combination of runners, skis, or tread, and is designed for travel on snow or ice.~~

“*Sponsor*” means the incorporated organization or other public agency receiving funding through the snowmobile or ATV grant programs to acquire, develop, maintain or otherwise improve snowmobile or all-terrain vehicle areas and trails.

“*State share*” means those funds that may be used by the state for administration or for other miscellaneous expenses related to the respective program such as law enforcement.

**571—28.2(321G 321I) Purpose and intent.** This program provides funds from snowmobile and the all-terrain vehicle registrations to political subdivisions and incorporated private organizations for the acquisition of land; development and maintenance of snowmobile trails and all-terrain vehicle areas and trails; and facilities for such use on lands which may be in other than state ownership. This chapter is intended to clarify procedures used in implementing agreements under Iowa Code section 321G.7 321I.8 between the department and sponsors, and the authority of the director of the department. All areas, trails and facilities established or maintained using revenues under this program shall be open to use by the general public.

**571—28.3(321G 321I) Distribution of funds.** The local cost-share portion of state snowmobile and all-terrain vehicle registration funds as established in Iowa Code section 321G.7 321I.8 and this rule shall be distributed in accordance with this chapter and upon execution of agreements under Iowa Code section 321G.7 321I.8. The local cost-share portion of each registration fund shall be at least 50 percent of appropriate registration revenues. The remaining revenues shall be known as the state share. State share funds shall not exceed 50 percent of the total revenue generated for either program per fiscal year.

**571—28.4(321G 321I) Application procedures.**

**28.4(1) Forms.** Applications for cost-share moneys shall be made on forms available from the department. The application must be completed and signed by the chairperson or chief executive officer of the applying sponsor. The application must be accompanied by a copy of the minutes of the sponsoring organization meeting at which the request was approved.

**28.4(2) Deadlines for application submission.**

~~a. Applications for snowmobile fund moneys must be received by the department no later than 4:30 p.m. on July 1 or the closest business day of each year.~~

~~b. a. Applications for all-terrain vehicle fund moneys must be received by the department no later than 4:30 p.m. on April 1 or October 1 or the closest business day of each year.~~

~~e. b. Applications received after the dates given in 28.4(2) “a” and “b” above will be returned to the submitting sponsor and shall not be considered for cost-share moneys during the current review and selection process, unless the application deadline has been extended by the director.~~

**571—28.5(321G 321I) Review and selection committees.**

~~28.5(1) The committee responsible for reviewing, ranking and selecting projects to receive funding from the local cost-share portion of snowmobile registration revenues shall be comprised of two representatives appointed by the president of the Iowa State Snowmobile Association and three department representatives appointed by the~~

~~director.~~ The committee responsible for reviewing, ranking and selecting projects to receive funding from the local cost-share portion of the all-terrain vehicle registration revenues shall be comprised of two representatives appointed by the president of the Iowa Off-Highway Vehicle Association and three department representatives appointed by the director.

**28.5(2)** The review and selection committees shall meet at the department central office in Des Moines within 30 days following the application deadline for each program. Applications eligible for funding will be reviewed and ranked by the committee. The committee's recommendations will be submitted to the director for approval.

**571—28.6(321G 321I) Director's review of approved projects.** The director shall review, amend, reject or approve committee selections and may reject any application recommended by the committee for funding. Appeals of the director's decision may be made to the commission. A project is considered approved and the grant period shall begin and end as specified in the grant approval letter from the program administrator. Applicants shall be notified of their grant status in writing within 30 days after the review and selection committee meeting.

**571—28.7(321G 321I) Project selection criteria.** In reviewing, ranking and recommending projects to receive available funding, the following criteria shall be used:

**28.7(1) Snowmobile program.**

- ~~a. Projects with long distance trails, connector trails or trails linking several existing trails.~~
- ~~b. Projects proposing maintenance and management of existing trails.~~
- ~~c. Projects located near a major population center or in a high demand area.~~
- ~~d. Projects having documented local support.~~
- ~~e. Projects located in areas having sustained and adequate snow cover each year.~~

**28.7(12) All-terrain vehicle program.**

~~a. 1. Projects proposing maintenance and management of existing approved all-terrain vehicle trails and use areas.~~

~~b. 2. Development within existing approved all-terrain vehicle trails or use areas.~~

~~c. 3. Projects having documented local support and involvement.~~

~~d. 4. Acquisition and development projects located in areas of high-demand that have preference given to projects with the most long-term, stable management plan and that have the least adverse environmental and social impacts.~~

**571—28.8(321G 321I) Eligibility of projects.** Items listed in this chapter or approved by the director which can reasonably be utilized in the construction or maintenance of riding areas or trails for ~~snowmobile or~~ ATV riding shall be eligible for funding.

**571—28.9(321G 321I) Use of funded items.** Manufactured products or machinery purchased by sponsors with state assistance under these programs shall be used only for the purpose of establishing or maintaining riding areas, trails, or facilities and as emergency rescue equipment where applicable.

**571—28.10(321G 321I) Disposal of equipment, facilities or property.**

**28.10(1)** Without prior written approval of the department, sponsors shall not dispose of any manufactured products, machinery, facilities or property if the department paid all or a portion of the actual cost. Sponsors shall, in the case of equipment or facilities, reimburse the department a percentage of the disposal price received, that percentage being the percent of the original purchase price paid by the ~~snowmobile or~~ all-terrain vehicle fund.

**28.10(2)** Real property and equipment shall be disposed of as stipulated in the grant agreement under which they were acquired. Reimbursements from the sale of real property and equipment shall be credited to the appropriate ~~snowmobile or~~ all-terrain vehicle registration account ~~from which the funding originated.~~

**571—28.11(321G 321I) Record keeping.** Sponsors receiving funds under these programs shall keep adequate records relating to the administration of the grant, particularly relating to all incurred costs. These records shall be available for audit by appropriate personnel of the department, the state auditor's office, and the ~~Iowa State Snowmobile Association or~~ Iowa Off-Highway Vehicle Association as appropriate.

**571—28.12(321G 321I) Sponsors bonded.** Prior to receiving prepayment from these this grant ~~programs~~ program, all nonpublic sponsors must produce proof that their chairperson and treasurer are covered under a fidelity bond, personal or surety, to the sponsor in a sum of no less than the total prepayment amount for each office.

**571—28.13(321G 321I) Items eligible for funding specific to the all-terrain vehicle program.**

**28.13(1) Land acquisition.** Purchasing of easements or fee title land acquisition as approved by the review and

selection committee and director. Title to property acquired using the local cost-share portion of registration revenues shall be in the name of the sponsor, unless otherwise approved by the commission. The grant may be for prepayment or reimbursement of land acquisition expenses including appraisals, surveys and abstracts in addition to the property cost. The grant may pay the sale price or appraised value, whichever is less. Appraisals are required and must be approved by the department. Payments may be made directly to the landowner by the department. The grant agreement may contain provisions in addition to those contained in this chapter for disposal of property if it ceases to be managed and used for the purpose for which it was acquired. Land acquisitions (or leases) using ATV registration revenues shall utilize the following specific criteria:

*a.* ATV parks shall be limited to previously disturbed areas. High quality natural areas and historical and cultural areas shall be avoided. If a proposed ATV park contains fragments of any of the aforementioned areas, they shall be managed and protected as off-limit sites.

*b.* In making the determination of whether high quality natural areas and historical or cultural areas exist, an expert in the said field shall complete a thorough assessment utilizing all available resources including local expertise.

*c.* Prior to ATV land acquisition, a public informational meeting shall be held to address the proposed ATV park. The meeting shall be posted in accordance with Iowa Code section 362.3 and meeting minutes shall be made available to the commission.

*d.* Neighboring property owners shall be notified of the proposed ATV park. Public comment received by the department or local political subdivision will be evaluated and presented to the commission.

*e.* A local project sponsor shall be willing and able to maintain the ATV park and shall implement and abide by an approved operational plan.

*f.* A local sponsoring political subdivision shall support the park and may provide local input.

*g.* The topography and associated soil erosion potentials shall be cost-effectively manageable as determined by the ATV review and selection committee.

*h.* The commission shall make the final determination whether to acquire a tract of land as an ATV park.

**28.13(2)** Development and maintenance of existing publicly owned property that has been recognized and designated as an ATV area by a local political subdivision or the commission.

**28.13(3)** Hourly wages may be reimbursed as approved by the director. Approved labor expenses may include equipment maintenance or repair and trail maintenance activities. Labor costs shall be documented on logs provided by the department and shall be accompanied by proof that the cost was paid by the sponsor. If labor and repair are contracted, reimbursement shall be at the amount specified in the contract approved by the director. The sponsor shall obtain any federal, state or local permits required for the project.

**28.13(4)** Actual material cost of trail maintenance tools, gravel, fence openings, gates, bridges, culverts, and fencing supplies. Diesel fuel, propane, gasoline, oil, parts replacement and repair bills for equipment used for land or property management.

**28.13(5)** Purchase of approved equipment to be used for maintenance of riding areas or trails. Cost of leasing equipment used to maintain or manage ATV riding areas or trails.

**28.13(6)** Program and facility liability insurance. Insurance shall be in place for project sponsors receiving grant funds. If insurance is purchased by the sponsor, proof of liability insurance shall be provided to the department. The state may purchase a statewide insurance policy covering all project sponsors receiving funds from the ATV grant program, in which case a copy of the policy shall be made available to covered sponsors upon request. This insurance coverage may include liability insurance for the landowner(s) or other insurable interests. ATV registration funds shall not be used to purchase insurance for special events. The total payment from the all-terrain vehicle fund shall be 100 percent of the approved actual cost. All insurance paid under this subrule must be furnished by companies licensed to do business in Iowa.

**28.13(7)** Cost of educational, enforcement or medical services for ATV areas funded through the ATV program.

**28.13(8)** Trail signs. Signs shall be provided to the sponsor by the department. Only those signs approved by the department for use on funded areas or trails shall be used by the sponsor. Signs appropriate to the ATV program shall be ordered on forms provided by the department. The sign order deadline shall be the same as the application date specified in subrule 28.4(2).

**28.13(9)** Developmental expenditures. Access roads, parking lots, picnicking, camping and playground facilities; sanitary, shelter, concession and control facilities; and utilities.

**28.13(10)** Pursuant to an agreement between the department and the Iowa Off-Highway Vehicle Association, miscellaneous personal expenses and salary for an association representative may be reimbursed at a rate approved by the director. Expenses and salary expenses shall be documented on logs provided by the department and submitted at the end of the term specified in the agreement.

**28.13(11)** Direct payment to vendors. The department may establish operational procedures to facilitate direct payment to vendors for:

*a.* Major expenditures or specialty items including land acquisitions, development expenses, program liability insurance fees and trail signs.

*b.* Unexpected repairs including materials or other expenses costing more than \$250 that may be necessary to operate and maintain the ATV use area or trail in a safe manner.

**571—28.14(321G) Items eligible for funding specific to the snowmobile program.**

**28.14(1)** Grooming equipment.

~~*a.* The project sponsor shall have a minimum of 100 miles of groomed snowmobile trail before the department awards funding for a groomer purchase or lease.~~

~~*b.* The state may acquire committee-approved groomers and drags through the use of the standard state purchasing procedure. If the purchase and lease of groomers and drags are approved by the grant review and selection committee and the department, sponsors may acquire or lease snow grooming equipment with snowmobile program funds.~~

~~*c.* After approval by the department and upon trade in to the department of a used groomer by a sponsor for replacement purposes, the trade-in value shall be applied to the new groomer purchase. The sponsor is responsible for obtaining liability insurance, licensing the machine as needed and providing personnel for daily operation and maintenance.~~

~~*d.* Upon sale or trade in of a used groomer with no replacement, the snowmobile fund shall refund to the sponsor the percentage of the trade-in value which matches the percent originally invested in the groomer. Groomers shall not be traded between sponsors without written prior approval from the department.~~

**28.14(2)** Groomer maintenance, repair and operation wages may be reimbursed at a rate approved by the review and selection committee and the department. If repair work is done by professional shops, payment shall be in the amount billed for the repair. Costs for towing disabled grooming equipment shall be reimbursed as billed by the company doing the work.

**28.14(3)** Trail signs. Signs shall be provided to the sponsor by the department. Only those signs approved by the department for use on funded areas or trails shall be used by the sponsor. Signs appropriate to the snowmobile program shall be ordered on forms provided by the department. The sign order deadline shall be the same as the application date specified in subrule 28.4(2).

**28.14(4)** Actual material cost of gates, fence openings, bridges, culverts and permanent bridges. Permanent bridges are eligible only if placed on public land or on private property under a lease or easement for ten or more years.

**28.14(5)** Program and facility liability insurance shall be in place for project sponsors receiving grant funds. If insurance is purchased by the sponsor, proof of liability insurance shall be provided to the department. The state may purchase a statewide insurance policy covering all project sponsors receiving funds from the snowmobile grant program in which case a copy of the policy shall be made available to covered sponsors upon request. This insurance coverage may include liability insurance for the landowner(s) or other insurable interests. Snowmobile registration funds shall not be used to purchase insurance for special events. The total payment from the snowmobile fund shall be 100 percent of the approved actual cost. All insurance paid under this subrule must be furnished by companies licensed to do business in Iowa.

**28.14(6)** Direct payment to vendors. The department may establish operational procedures to facilitate direct payment to vendors for:

*a.* Major expenditures or specialty items including but not limited to land acquisitions, development expenses, program liability insurance fees and trail signs.

*b.* Unexpected repairs including materials or other expenses costing more than \$500 that may be necessary to operate the snowmobile trails in a safe manner.

**28.14(7)** Pursuant to an agreement between the department and the snowmobile association, miscellaneous personal expenses for association officers when incurred in conjunction with program activities may be reimbursed.

~~571—28.15(321G)~~ **571--28.14(321I) Competitive bids.** Any equipment or development expense costing more than \$500 and funded by grant funds must be purchased through a competitive bid or quotation process. Documentation of such process must be submitted before funds are released by the state. Items purchased by any other means are not reimbursable by the state.

~~571—28.16(321G)~~ **571--28.15(321I) Prepayment for certain anticipated costs.** Only those expenditures contained in signed agreements may be prepaid. Program or facility liability insurance may be prepaid up to 100 percent. Approved facility and development costs and operations and maintenance costs may be prepaid up to 90 percent.

~~571—28.17(321G)~~ **571--28.16(321I) Expense documentation, balance payment or reimbursement.**

**28.17(1) 28.16(1)** 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 chargeable to the program. The sponsoring organization shall sign a certification stating that all expenses for which reimbursement is requested are related to the program and have been paid by the sponsor prior to requesting reimbursement. If necessary, the department may request copies of canceled checks to verify expenditures.

**28.17(2) 28.16(2)** The sponsor is responsible for maintaining auditable records of all expenditures of funds received whether by prepayment or on a reimbursement basis. This documentation shall include daily logs of ~~groomer or other~~ maintenance equipment, operation and repair. Work done under contract to the sponsor requires a copy of the contract and copies of canceled checks showing payment.

~~28.17(3)~~ Documentation of expenditures under the snowmobile portion of the revenue-sharing program must be received by the department prior to May 1 of each year.

**28.17(4) 28.16(3)** Documentation of expenditures under the all-terrain vehicle portion of the revenue-sharing program must be received within 60 days of the project end date as specified in the grant approval letter unless the project sponsor has requested an extension and the extension has been approved in writing by the department. Failure by the sponsor to complete projects in a timely manner may be cause for termination of the agreement and cancellation of the grant.

**28.17(5) 28.16(4)** Approved expenditures by the sponsor in excess of the prepayment amount received, up to the maximum approved amount, will be reimbursed by the department if appropriately documented. In instances where the sponsor has expended less than the amount prepaid, the sponsor shall reimburse the balance to the department to be credited back to the annual local share or the appropriate fund.

~~571—28.18(321G)~~ **571--28.17(321I) Use of funds.** If a grantee desires to use the approved funds for a purpose not within the approved project scope as stated in the grant approval letter, the grantee shall request an amendment to the project. If the department approves a project amendment, the department shall notify the project sponsor in writing. Whenever any real or personal property acquired, developed or maintained with snowmobile and ATV registration funds passes from the control of the grantee or is used for purposes other than the approved project purpose, such an act will be considered an unlawful use of the funds. Whenever the director determines that a grantee is in violation of this rule, that grantee shall be ineligible for further assistance until the matter has been resolved to the satisfaction of the department.

These rules are intended to implement Iowa Code sections 321I.2 and ~~321G.7~~ 321I.8.

**ITEM 2.** Adopt the following new Division III in 571--Chapter 47:

#### DIVISION III

#### SNOWMOBILE REGISTRATION

#### REVENUE COST-SHARE PROGRAM

#### **571—47.30(321G) Definitions.**

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

“*Commission*” means the natural resource commission.

“*Local cost-share portion*” means those funds available for use by incorporated organizations or other public agencies through cost sharing, grants, subgrants or contracts.

“*Primary trail*” means the trail a sponsor signs every year and grooms on a regular rotation.

“*Secondary trails*” means the trail a sponsor signs every year but are not groomed consistently. This would include trails that are signed and maintained by mowing.

“*Sponsor*” means the incorporated organization or public agency receiving funding through the snowmobile cost-share programs to acquire, develop, maintain, or otherwise improve snowmobile areas and trails.

“*State share*” means those funds that may be used by the state for administration or for other miscellaneous expenses related to the respective program such as law enforcement.

**571—47.31(321G) Purpose and intent.** This program provides funds from snowmobile registrations to political subdivisions and incorporated private organizations for the acquisition of land, plus for the development and maintenance of snowmobile trails and facilities. This chapter is intended to clarify procedures used in implementing agreements under Iowa Code section 321G.7 between the department and sponsors, and the authority of the director of the department. All areas, trails, and facilities established or maintained using revenues under this program shall be open to use by the general public.

**571—47.32(321G) Distribution of funds.** The local cost-share portion of the state snowmobile fund established in Iowa Code section 321G.7 and this rule shall be distributed in accordance with this chapter and upon execution of agreements under Iowa Code section 321G.7. The local cost-share portion of each registration fund shall be at least 50 percent of appropriate registration revenues. The remaining revenues shall be known as the state share. State share funds shall not exceed 50 percent of the total revenue generated for the program per fiscal year.

**571—47.33(321G) Application procedures.**

**47.33(1) Forms.** Applications for cost-share moneys shall be made on forms available from the department. The application must be completed and signed by the elected officer of the applying sponsor.

**47.33(2) Deadlines for application submission.**

a. Applications for snowmobile fund moneys must be received by the department no later than 4:30 p.m. on May 1 or the following business day if May 1 occurs on a Saturday or Sunday.

b. Applications received after the dates given in 47.33(2)“a” will be returned to the submitting sponsor and shall not be considered for cost-share moneys during the current review and selection process, unless the application deadline is waived or extended by the director.

**571—47.34(321G) Review and selection committees.**

**47.34(1)** The committee responsible for reviewing and selecting projects to receive funding from the local cost-share portion of snowmobile registration revenues shall be comprised of two representatives appointed by the president of the Iowa State Snowmobile Association and three department representatives appointed by the director.

**47.34(2)** The review and selection committee shall meet at the department central office in Des Moines. Applications eligible for funding will be reviewed and funding recommendations will be submitted to the director for approval.

**571—47.35(321G) Director’s review of approved projects.** The director shall review, amend, reject or approve committee selections and may reject any application recommended by the committee for funding. Appeals of the director’s decision may be made to the commission. A project is considered approved and the grant period shall begin and end as specified in the cooperative agreement from the program administrator. Applicants shall be notified of their grant status within 30 days after the review and selection committee meeting.

**571—47.36(321G) Selection criteria.** In reviewing applications or groomer review and selection process, the following evaluation criteria shall be considered:

1. Primary and secondary trail miles and connectivity to other trail systems.
2. Maintenance and management of existing trails.
3. Projects located in high trail demand areas.
4. Projects located in areas having sustained and adequate snow cover each year.
5. Applicants historical record on grant expenditures, grooming records, trail marking, and compliance with cooperative agreements.
6. Sponsor level of in-kind contributions and program volunteer efforts.
7. Trail development plan.
8. Level of available program funds.

**571—47.37(321G) Eligibility of projects.** Items listed in this chapter or approved by the director that can reasonably be utilized in the construction or maintenance of snowmobile riding areas or trails shall be eligible for funding.

**571—47.38(321G) Use of funded items.** Manufactured products or machinery purchased by sponsors with state assistance under these programs shall be used only for the purpose of establishing or maintaining riding areas, trails, or facilities, and as emergency rescue equipment where applicable.

**571—47.39(321G) Disposal of equipment, facilities or property.**

**47.39(1)** Without prior written approval of the department, sponsors shall not dispose of any manufactured products, machinery, facilities, or property if the department paid all or a portion of the actual cost. Sponsors shall, in the case of equipment or facilities, reimburse the department a percentage of the disposal price received, that percentage being the percent of the original purchase price paid by the snowmobile fund.

**47.39(2)** Real property and equipment shall be disposed of as stipulated in the cooperative agreement under which they were acquired. Reimbursements from the sale of real property and equipment shall be credited to the snowmobile registration account.

**571—47.40(321G) Record keeping.** Sponsors receiving funds under these programs shall keep adequate records relating to the administration of the grant, particularly relating to all incurred costs. These records shall be available for audit by appropriate personnel of the department and the state auditor's office.

**571—47.41(321G) Sponsors bonded.** Prior to receiving prepayment from this grant program, all nonpublic sponsors must produce proof that their elected officers are covered under a fidelity bond, personal or surety, to the sponsor in a sum of no less than the total prepayment amount for each office.

**571—47.42(321G) Items eligible for funding.****47.42(1) Grooming equipment.**

*a.* The project sponsor shall have a minimum of 100 miles of groomed snowmobile trail before the department awards funding for a groomer purchase or lease.

*b.* If the purchase and lease of groomers and drags are approved by the grant review and selection committee and the department, the department or sponsors may acquire or lease snow grooming equipment with snowmobile program funds.

*c.* After written approval by the department and upon trade-in to the department of a used groomer by a sponsor for replacement purposes, the trade-in value may be applied to the new groomer purchase.

*d.* The sponsor is responsible for groomer and drag operation and maintenance as required in the equipment agreement.

*e.* Upon sale or trade-in of a used groomer with no replacement, the snowmobile fund shall refund to the sponsor the percentage of the trade-in value that matches the percent originally invested in the groomer.

*f.* Groomers shall not be moved between sponsors without prior written approval from the department.

**47.42(2) Groomer maintenance, repair, and operation.**

**47.42(3) Trail signs.** Only those signs approved by the department for use on funded areas or trails shall be used by the sponsor.

**47.42(4) Gates, fence openings, bridges, culverts, and permanent bridges.** Permanent bridges are eligible only if placed on public land or on private property under a lease or easement for ten or more years.

**47.42(5) Program and facility liability insurance** shall be in place for project sponsors receiving grant funds. If insurance is purchased by the sponsor, proof of liability insurance shall be provided to the department.

*a.* The state may purchase a statewide insurance policy covering all project sponsors receiving funds from the snowmobile grant program in which case a copy of the policy shall be made available to covered sponsors upon request. This insurance coverage may include liability insurance for the landowner(s) or other insurable interests.

*b.* Snowmobile registration funds shall not be used to purchase insurance for special events.

*c.* All insurance paid under this subrule must be furnished by companies licensed to do business in Iowa.

**47.42(6) Direct payment to vendors.** The department may establish operational procedures to facilitate direct payment to vendors for:

*a.* Major expenditures or specialty items including but not limited to land acquisitions, groomer purchases, development expenses, program liability insurance fees, and trail signs.

*b.* Unexpected repairs including materials or other expenses that may be necessary to operate the snowmobile trails in a safe manner.

**47.42(7)** Pursuant to an agreement between the department and the Iowa State Snowmobile Association, association program expenses and personal expenses for association officers may be reimbursed. Proposed agreements shall be subject to the review and selection requirements of this chapter and must be approved by the director. Items eligible for funding are:

*a.* In-state travel expenses related to the acquisition, development, and signing of snowmobile trails, grant review meetings, groomer selection, education classes, and attending department meetings or sponsored events. Expenses may include mileage, meeting rooms, and lodging at the approved state rate.

- b.* Transportation expenses related to moving groomers, drags, or educational equipment.
- c.* Promotional and educational expenses directly related to the snowmobile program.

**47.42(8)** Land acquisition in compliance with rule 47.43.

**571—47.43(321G) Land acquisition projects eligible for funding.**

**47.43(1)** Project Narrative. Any application that includes a proposal to acquire real property must include a narrative that demonstrates a demand for the proposed area in relation to population, other riding areas, potential expansion, partnership possibilities and local support.

**47.43(2)** Site visit. The department shall complete a preliminary site visit of any proposal for which the applicant proposes to acquire real property.

**47.43(3)** Evaluation. In evaluating the proposed real property acquisition, lease or development, the department shall consider the following based on its site visit, the project narrative and any other information submitted.

*a.* Park or trail capacity. The proposed acquisition, lease or development shall provide adequate user capacity for snowmobile recreation. Consideration shall be given to local populations and distance or adjacency to other snowmobile trails, trail systems or parks.

*b.* Appraisal and sale. When the applicant proposes to acquire real property, the applicant must:

*i.* Provide an appraisal of the property to the department for its review and approval. The appraisal must be certified by an appraiser, licensed in the state of Iowa, and conform to the Uniform Appraisal Standards for Federal Land Acquisitions, Fifth Edition, which is also referred to as the Yellow Book.

*ii.* Pay not more than the appraised value, as determined in paragraph *i* of this subrule, for the real property.

*iii.* Include a requirement in any proposal or option to buy the real property that such purchase agreement shall be valid for at least one year from the award of the grant.

*c.* Operations. The project shall be maintained by a political subdivision in the state, capable of maintaining the area on a voluntary basis. The political subdivision shall be responsible to oversee the park operations, trail and trail system, either through its own employees or through agreements with volunteers or contractors. The successful applicants shall abide by the operational plan set forth as part of the grant agreement by the department, updated annually by the parties, and subject to input from other interested parties.

*d.* Adjoining properties and the public. The successful applicant shall be responsible for ensuring that all adjoining property owners of the proposed land acquisition are notified of the proposed snowmobile riding area or trail system and must accept and consider comments from such property owners. The successful applicant shall also be required to hold a public meeting to notify the public about the proposed snowmobile riding area, trail system or trail. Such meeting shall conform to the requirements of section 362.3 of the Code of Iowa. The issues raised in any written or oral comments received shall be addressed by the successful applicant. The successful applicant shall submit a recitation of the comments as well as its response to them to the department for its review and approval prior to any real property acquisition for a snowmobile riding area, trail system or trail.

*e.* Cultural, historical and natural resources. The successful applicant shall be responsible to determine if cultural or historical resources, high-quality natural areas, species of special concern, or any state or federally listed threatened and endangered species are present or likely to be present in the real property proposed to be acquired. In the event the successful applicant determines the presence of the aforementioned resources, the successful applicant must develop a mitigation plan, endorsed by an expert in the relative field(s), to mitigate or avoid negative impact to such resources, which shall be subject to review and approval of the department. Any final mitigation plan required by this rule and approved by the department shall be adopted as part of the operational plan set forth as part of the grant agreement.

*f.* Soil resources. The successful applicant shall consider the grade of all snowmobile riding areas within the snowmobile area, trail system or trails proposed as part of the real property acquisition. The successful applicant shall acquire soil survey reports for such snowmobile riding area that indicate the general soil classification of that area. The report shall be submitted to the department for its review and approval. The department shall only approve snowmobile riding areas with a moderate risk or less for soil erosion due to path or trail development. Successful applicants are encouraged to consult the Natural Resources Conservation Service of the United States Department of Agriculture regarding trail or park development.

**47.43(4)** Determination. The director shall make the final determination as to whether the proposed land acquisition is eligible for funding. If any of the requirements of this rule cannot be met, the department will reject all or a portion of the grant application. Title to property acquired under this program shall be in the name of the

sponsor, unless otherwise approved by the director, and may contain a reversion clause that requires the property to become property under the jurisdiction of the commission in the event the property is not used as agreed upon in the grant agreement for a period of at least 20 years from the expiration of the grant.

**571—47.44(321G) Competitive bids.** Any equipment or development expense costing more than \$500 and funded by grant funds must be purchased through a competitive bid or quotation process. Documentation of such process must be submitted before funds are released by the state. Items purchased by any other means are not reimbursable by the state.

**571—47.45(321G) Prepayment for certain anticipated costs.** Only those expenditures contained in signed agreements may be prepaid. Program or facility liability insurance may be prepaid up to 100 percent. Approved facility and development costs and operations and maintenance costs may be prepaid up to 90 percent.

**571—47.46(321G) Expense documentation, balance payment, or reimbursement.**

**47.46(1)** 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 chargeable to the program. The sponsoring organization shall sign a certification stating that all expenses for which reimbursement is requested are related to the program and have been paid by the sponsor prior to requesting reimbursement. If necessary, the department may request copies of canceled checks to verify expenditures.

**47.46(2)** The sponsor is responsible for maintaining auditable records of all expenditures of funds received whether by prepayment or on a reimbursement basis. This documentation shall include daily logs of groomer or other maintenance equipment, operation and repair. Work done under contract to the sponsor requires a copy of the contract and copies of canceled checks showing payment.

**47.46(3)** Documentation of expenditures under the snowmobile portion of the revenue-sharing program must be received by the department on or before May 1 of each year.

**47.46(4)** Approved expenditures by the sponsor in excess of the prepayment amount received, up to the maximum approved amount, will be reimbursed by the department if appropriately documented. In instances where the sponsor has expended less than the amount prepaid, the sponsor shall reimburse the balance to the department to be credited back to the snowmobile fund.

**571—47.47(321G) Use of funds.** If a grantee desires to use the approved funds for a purpose not within the approved project scope as stated in the cooperative agreement, the grantee shall request an amendment to the agreement. If the department approves a project amendment, the department shall notify the project sponsor in writing or by electronic means. Whenever any real or personal property acquired, developed or maintained with snowmobile registration funds passes from the control of the grantee or is used for purposes other than the approved project purpose, such an act will be considered an unlawful use of the funds, subject to repayment and other penalties as provided by law. Whenever the director determines that a grantee is in violation of this rule, that grantee shall be ineligible for further assistance until the matter has been resolved to the satisfaction of the department.

These rules are intended to implement Iowa Code sections 321G.2 and 321G.7.

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

CARRIED AS PRESENTED

**16. BRASS BLUEGILL AWARD**

Each year, the DNR sponsors an award honoring an individual for their efforts in helping our citizens become skilled anglers and advocates of fishing and natural resource conservation. This year we are recognizing Dan Anderson, science instructor at MFL MarMac High School in Monona, IA. Dan has established an outstanding local program that exemplifies the goals of *Fish Iowa!* He has taught a fishing and aquatic education unit for nine years. Each year Dan has between 20 and 30 students in grades 10-12 in his Natural Resources Science Class who complete a comprehensive fishing unit that includes a field trip to our Guttenburg management station. The class then helps teach fishing to kindergarten and third graders. They also completed a stream cleanup on Sny Magill Creek and produced a comprehensive instructional video that won an A-V contest sponsored by the *Fish Iowa!*

program. Many of Dan’s past students have indicated interest in pursuing a career in natural resources. As part of this award, Dan’s Natural Resources Science Class will receive a set of 24 spinning rods and reels with carrying racks from the Aquatic Education Program. *Fish Iowa!* strives to create safe anglers and responsible stewards of Iowa’s aquatic resources. *Fish Iowa!* is supported by Sportfish Restoration Funds, which are obtained from excise taxes paid on fishing tackle and related items and fishing license dollars. The Iowa Department of Natural Resources Aquatic Education Program has recognized outstanding partners with the Brass Bluegill Award since 1997.

INFORMATIONAL

**17. CONTRACT WITH POLK COUNTY CONSERVATION BOARD**

The Commission is requested to approve a contract with the Polk County Conservation Board (PCCB) for the purpose of improving the Fort Des Moines Lake sport fishery and creating quality urban fishing opportunities in the Des Moines metro area. The total contract amount will not exceed \$200,000. The DNR shall have the option to renew this contract for up to a six-year period. Fort Des Moines Lake is a 14 surface acre impoundment located in Fort Des Moines Park and in the southern part of Des Moines. The lake has a 14:1 watershed ratio which consists of Fort Des Moines, Blank Park Golf Course, a public school, and timber land. The PCCB is completing the watershed work, identified in the 2012 watershed assessment, which includes water quality monitoring, installation of rock check structures, wet/dry sediment basins on watershed drainages having eroding banks, and construction of a dredge containment site across the south drainage arm of the lake. For this contract, PCCB is required to match at least 25% of the project costs, obtain permits, complete all design activities, repair the lake’s outlet structure, construct fish habitat, dredge 30,000 cubic yards of lake sediment and stabilize 1,200 linear feet of lake shoreline. The DNR’s commitment is to provide financial assistance in fiscal year 2013 in an amount not to exceed 75% of incurred expenses or \$100,000, whichever is less. If available the DNR will award an additional \$100,000 in fiscal year 2014 or an amount not to exceed 75% of incurred expenses, whichever is less. After the work is completed, besides establishing an urban fishery, this site will also serve as a wetland. The DNR funding source is Fish and Wildlife Trust Fund, Fish Habitat funds. This is the second project with a Des Moines metro partner which continues DNR efforts to demonstrate a project and to encourage other metro partners in providing an urban fishery and fishing opportunities.

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

CARRIED AS PRESENTED

**18. CONTRACT WITH IOWA DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP FOR THE EASTER LAKE WATER QUALITY IMPROVEMENT PROJECT**

Commission approval is requested for a Contract with the Iowa Department of Agriculture and Land Stewardship (IDALS). The contract will begin on the date of commencement and terminate on December 31, 2013. The total amount of this contract shall not exceed \$40,000. DNR shall have the option to renew this contract as long as this contract and any extensions do not exceed a six-year period. This contract will be funded through the Lakes Restoration Program established under Iowa Code Section 456A.33B. Easter Lake, located within Easter Lake Park, has been a great recreational resource for the residents of Des Moines, Iowa, since 1967. However, over the last several years, the water quality of the lake has diminished due to increased loads of nutrients and sediment as development has occurred around the lake. Currently, the lake suffers from poor water clarity, algal blooms, high sedimentation rates, low oxygen concentrations, and a poor fishery. In response to these water quality problems, area stakeholders worked together to develop the Easter Lake Water Quality Management Plan. The planning effort was co-sponsored by the Iowa Department of Natural Resources, City of Des Moines, and Polk County Conservation Board. Other support agencies involved in review and development of the Plan included the Iowa Department of Agriculture and Land Stewardship, Polk County Soil and Water Conservation District, and the Natural Resources Conservation Service. The Plan serves as the most current culmination of existing studies, citizen and stakeholder input, and the consultant’s recommendations for structural and non-structural Best Management Practices intended to reduce delivery of pollutants to stormwater, reduce stormwater runoff, and

renovate Easter Lake. The DNR Lake Restoration Program is committed to assisting with this project by providing funding resources to improve the lakes watershed. Easter Lake is listed as one of our significant priority lakes for restoration. State restoration criteria require that in-lake restoration efforts can only take place after watershed nutrient/sediment issues have been addressed. Pursuant to this Cooperative Agreement, IDALS will facilitate having a watershed coordinator(s) in place that will help implement the watershed management practices identified in the Easter Lake Water Quality Management Plan. This Project is critical to improving the lake’s water quality and in removing the system from the “Impaired Waters” list. DNR recommends approval of this contract.

Attachment: FACT SHEET: Easter Lake – Polk County Iowa

FACT SHEET: Easter Lake – Polk County Iowa

The Resource: Built in 1967, the lake is about 178 acres. The lake has a watershed (land that drains to the lake) area of around 6,500 acres. The lake lies within Easter Lake Park owned and managed by Polk County Conservation and Ewing Park owned and managed by the City of Des Moines. The lake and parks offer fishing, boating, picnicking, walking trails, wildlife watching, and swimming. Park visitation has averaged 390,000 visitors each of last five years; placing Easter Lake in the top twenty of 131 significant lakes in Iowa. This visitation contributes about \$17.5 million to the local economy and supports 213 jobs. The watershed contains parts of 11 recognized neighborhood associations; Easter Lake Area, South Park, Fort Des Moines, Watrous South, Magnolia Park, Ewing Woods, Hillsboro Estates, Southwestern Hills, Pioneer Park, Grays Lake and River Woods.

The Problem: Water quality in Easter Lake is poor. The lake has shrunk from its original size in both surface area and volume – it’s almost 48 acres smaller than when it was built and the lake volume is 24% less. Dirt and other sediment washing in from the watershed have filled the lake. Excess nutrients, specifically phosphorous have washed in too. The sediment and nutrients have resulted in frequent algae blooms and low water clarity. Elevated bacteria levels in the lake have resulted in swimming advisories for Easter Lake. The lake also has some undesirable fish species (carp and shad) and has a stunted panfish population. Easter Lake is considered impaired by the Iowa DNR and EPA.

The Restoration Opportunities: Research conducted by Iowa State University and the Iowa DNR have shown phosphorous levels in the lake must be reduced by 50% and sediment reaching the lake must be reduced by nearly a quarter. Both of these targets must be reached for the lake to meet state water quality targets. A combination of restoration practices will be necessary to reach the targets. Restoration measures may include streambank stabilization, promoting the use of no or low phosphorus fertilizer, a review of street sweeping practices, pet waste pick-up, stormwater management, in-lake sediment detention basins, dredging existing stormwater detention basins, fish population renovation and extensive public education.

The Next Steps: A community based planning approach was used to help local residents and stakeholders develop a water quality management plan for Easter Lake. This approach helped develop a common vision, identify and prioritize concerns and come up with appropriate steps to address problems. Partner organizations include the City of Des Moines, Iowa Department of Agriculture and Land Stewardship, Iowa Department of Natural Resources, Natural Resource Conservation Service, Polk County Conservation and Polk Soil and Water Conservation District. Polk County Soil and Water Conservation District applied and was approved for a DNR Watershed Project to complete the first of three phase of the plan. Phase 1 includes approximately \$700,000 in DNR Watershed Improvement funding, \$200,000 in DNR Lake Restoration funding and \$950,000 in local cost-share, which includes \$600,000 from the City of Des Moines for streambank stabilization and structural practices along Yeader Creek and South Branch.

Motion – Commissioner Branstad

Seconded – Commissioner Francisco

Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

**19. CONTRACT WITH SMITH-ROOT, INC., FOR LOST ISLAND LAKE ELECTRIC FISH BARRIER**

Commission approval is requested for a six-month service contract with Smith-Root Inc., for an amount not-to-exceed \$142,896.00. The contract will begin with execution of the contract and terminate on November 30, 2013.

DNR shall have the option to renew this contract as long as this contract and any extensions do not exceed a six-year period. This contract will be funded through the Lakes Restoration Program established under Iowa Code Section 456A.33B. The Department's goal is to prevent fish movement into Barrier Marsh from Lost Island Lake through installation of an electric barrier. The Contractor will be required to:

- design an electrical barrier that will prevent fish movement from Lost Island Lake to Barrier Marsh; design plans will include all components for a complete and functioning barrier system (i.e.: housing, wiring, electrodes);
- design a barrier that will protect the public and not create a hazardous condition;
- provide oversight during the construction phase of the project;
- provide an itemized cost estimate of the project's construction phase including any proprietary components;
- and provide training and resources for the project's proper operation and maintenance.

DNR recommends approval of this contract.

Lost Island Lake is a 1,162 acre natural lake in Palo Alto County, Iowa. Past conditions have included a problem common carp population and poor water quality that restricted public use and increased the probability of a winter fish kill. Work performed in 2010-2011 involved a total of four combination fish barrier/water control structures and one additional fish barrier. Construction of these structures were designed to aid restoration efforts by preventing spawning common carp from entering wetlands in the watershed and to establish the ability to manage water levels in the large wetland areas. In addition to structural components, project partners implemented incentivized commercial harvest of common carp to reduce the overall population number and biomass in an effort to reduce the effects of this fish on water quality.

Motion – Commissioner Francisco

Seconded – Commissioner Reimer

Discussion – Chuck Corell provided information regarding the water flow and on site video opportunity.

Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

## 20. DIVISION ADMINISTRATOR REMARKS

Chuck Corell provided information regarding Chronic Wasting Disease, status of the U.S. Fish and Wildlife waterfowl funding

## 21. GENERAL DISCUSSION

- New Commissioner Training – Commissioner Underwood proposed Commissioner training to be held Wednesday, June 12, 2013, beginning at 1pm.
- October 2013 NRC Meeting and Tour Location – Commissioners discussed options for the October tour. After a special invitation from Kevin Szcodronski to participate in the National State Parks Director's meeting in September in Dubuque, the Commission changed September's meeting from 09/12/13 to 09/05/13 to coordinate with tour options the day before and after their meeting. The 10/09/13 meeting date will remain the same but without the field tour, since they have the tour options in September.
- Commissioner Francisco welcomed and expressed appreciate for the participation of the new commissioners. He also acknowledged the collaboration and partnerships that went into the fundraising efforts and acquisition for the new land addition to Mines of Spain.
- Commissioner Prickett congratulated the new Commission members on their appointment. She commented that the field tour yesterday was awesome and wished we could do more because the education is so valuable.
- Commissioner Branstad stated he enjoyed the first meeting and that he has learned a lot and appreciated the information presented in the briefs. He was glad his first meeting included a field tour and he looks forward to the future on the Commission.

- Commissioner Underwood reiterated how pleased she was to have the new Commissioners on board. She was sorry she could not attend the field tour but appreciate the tremendous job the host staff did. She also reported that the Governor has appointed a Green Commission for the Parks 2020 project and the first meeting will be next Tuesday and she will be representing the NRC.
- Commissioner Reimer echoed Commissioner Branstad's comments. She felt welcomed from the beginning and looks forward to future meetings. From the tour yesterday, she appreciated the relationship between the CCB and DNR and expressed a great appreciation for the staff.

Lunchtime Presentation: Tour of EB Lyons Interpretive Center, Presentation by Friends of MOS and City of Dubuque (Laura Carstens)

Motion to adjourn the meeting – Commissioner Prickett  
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 05/09/13 at 1:15pm.

CARRIED – MEETING ADJOURNED

**UPCOMING NRC MEETING DATES**

- June 13, 2013 - Henry Wallace State Office Building, Des Moines, 9:30am
- July 11, 2013 - Henry Wallace State Office Building, Des Moines, 9:30am
- August 8, 2013 - Henry Wallace State Office Building, Des Moines, 9:30am

