

**IOWA DEPARTMENT OF NATURAL RESOURCES
NATURAL RESOURCE COMMISSION**

Business Meeting Date: Thursday, November 14, 2013

Meeting Location: Wallace Building-4th Floor, 502 E 9th Street, Des Moines, IA 50319

BUSINESS MEETING AGENDA

Meeting convenes at 9:30am

Public Participation begins at approximately 10:00a

Lunchtime Presentation: Wood Duck Banding in Iowa

1.	Approval of Agenda Consent Agenda (<i>*within agenda indicates proposed consent agenda item</i>) *6. Timber Sale Contract with River City Hardwoods, for Shimek State Forest *7. Timber Sale Contract with Kendrick Forest Products for Yellow River State Forest - 1 *8. Timber Sale Contract with Kendrick Forest Products for Yellow River State Forest - 2 *10.1 Chapter 18 lease, Clayton County, Betty Gingrich *10.2 Chapter 18 lease renewal, Muscatine County, RGL, LLC (Acme Materials) *10.3 Management Agreement Renewal, French Estate, Taylor County, Taylor CCB *10.4 Easement Conveyance, Stephens State Forest, Southern Iowa Rural Water Assoc. (SIRWA)	Decision	Commission
2.	Approve Minutes of 10/10/13 NRC Public Meeting	Decision	Commission
3.	Director's Remarks	Information	Director
4.	Contract with University of Northern Iowa	Decision	Karen Kinkead
5.	Contract with Iowa State University Cooperative Fish & Wildlife Research Unit	Decision	Katy Reeder
*6.	Timber Sale Contract with River City Hardwoods, for Shimek State Forest	Decision	Jeff Goerndt
*7.	Timber Sale Contract with Kendrick Forest Products for Yellow River State Forest - 1	Decision	Jeff Goerndt
*8.	Timber Sale Contract with Kendrick Forest Products for Yellow River State Forest - 2	Decision	Jeff Goerndt
9.	Land Acquisition Projects		
9.1	Kellerton Bird Conservation Area, Ringgold County, Sickels	Decision	Travis Baker
9.2	Prairie Rose State Park, Shelby County, Mills	Decision	Travis Baker
*10.	Land Management Projects		
*10.1	Chapter 18 lease, Clayton County, Betty Gingrich	Decision	Travis Baker
*10.2	Chapter 18 lease renewal, Muscatine County, RGL, LLC (Acme Materials)	Decision	Travis Baker
*10.3	Management Agreement Renewal, French Estate, Taylor County, Taylor CCB	Decision	Travis Baker
*10.4	Easement Conveyance, Stephens State Forest, Southern Iowa Rural Water Assoc. (SIRWA)	Decision	Travis Baker
11.	Chapter 30 – Low-head Dam Public Hazard Cost-share Grant Recommendations	Decision	Travis Baker
12.	Chapter 28, Snowmobile and All-Terrain Vehicle Registration Revenue Cost-Share Program, and Chapter 47, Snowmobiles – Final	Decision	David Downing

For details on the NRC meeting schedule, visit:

<http://www.iowadnr.gov/InsideDNR/BoardsCommissions/NaturalResourceCommission.aspx>

Comments during the public participation period regarding proposed rules or notices of intended action are not included in the official comments for that rule package unless they are submitted as required in the Notice of Intended Action.

13.	Construction - Prairie Rose State Park Hydraulic Dredging	Decision	Joe Larscheid
14.	Construction – Beeds Lake State Park, Shower Building Demolition and Replacement	Decision	Angela Corio
15.	Construction – Elk Rock State Park, Two Shower Building Replacements	Decision	Angela Corio
16.	Construction – Small Projects	Information	Gabe Lee
17.	Donations	Decision	Chuck Corell
18.	Honey Creek Resort – Quarterly Update	Information	Chuck Corell
19.	Division Administrator Comments	Information	Chuck Corell
20.	General Discussion <ul style="list-style-type: none"> • NRC Legislative Priorities • January Joint NRC/EPC Mtg – Agenda Items 		
Upcoming NRC Meeting Dates: <ul style="list-style-type: none"> • 12/12/13 – Henry Wallace State Office Building, Des Moines, 9:30am • 01/22/14 – Capitol Legislative Dining Room, 8:30a-10a (Legislative Open House) • – Henry Wallace State Office Building, Des Moines, 12pm (Informational Meeting) • 01/23/14 – Henry Wallace State Office Building, Des Moines, 8:30am • 02/13/14 – Henry Wallace State Office Building, Des Moines, 9:30am 			

For details on the NRC meeting schedule, visit:

<http://www.iowadnr.gov/InsideDNR/BoardsCommissions/NaturalResourceCommission.aspx>

Comments during the public participation period regarding proposed rules or notices of intended action are not included in the official comments for that rule package unless they are submitted as required in the Notice of Intended Action.

**Iowa Department of Natural Resources
Natural Resource Commission**

#4

Decision Item

Contract with University of Northern Iowa

Commission approval is requested for a service contract with University of Northern Iowa (UNI) of Cedar Falls, IA.

Contract Terms:

Amount: \$58,358

Dates: January 1, 2014 through August 31, 2016

Funding Source(s): Federal - US Fish and Wildlife Service Competitive State Wildlife Grant

Contract Purpose:

The purpose of this contract is to retain UNI to provide scientific expertise with regards to habitat needs of the Wood Turtle and complete a radio-telemetry based study following Wood Turtle response to the habitat restoration efforts.

The Wood Turtle is a species of interest to the DNR as well as being a species the US Fish and Wildlife Service is evaluating for listing under the Endangered Species Act. Partnering with UNI will provide a depth to the study. They have experts in the field of Wood Turtles that have been compiling data for approximately ten years. Along with capturing turtles, attaching radio-telemetry units, and monitoring the turtles' movements, UNI will be able to recommend habitat management strategies which have stemmed from their research to evaluate turtle population improvement. Because of its importance, this is a multi-state federally sponsored project, of which Michigan, Wisconsin, and Minnesota will also be conducting similar research in their areas.

Selection Process Summary: Intergovernmental contracting with University of Northern Iowa is authorized under 11 IAC 106.4. UNI was chosen for their faculty's relevant expertise to conduct statistically sound sampling design, properly conducted ecological surveys for Wood Turtles, and analyze the resulting data in a manner relevant to our wildlife management decisions.

Karen Kinkead, Wildlife Bureau, Wildlife Diversity Program Coordinator
Conservation and Recreation Division
November 14, 2013

**Iowa Department of Natural Resources
Natural Resource Commission**

#5

Decision Item

Contract with Iowa State University Cooperative Fish & Wildlife Research Unit

Commission approval is requested for a service contract with Iowa State University (ISU) Cooperative Fish and Wildlife Research Unit.

Contract Terms:

Amount: \$225,000

Dates: November 15, 2013 – March 31, 2017

Funding Source(s): Federal – US Fish and Wildlife Service Competitive State Wildlife Grant

Contract Purpose: The purpose of this contract is to retain ISU to provide scientific expertise with regard to design of ecological field experiments, landowner outreach and knowledge transfer, and to complete surveys of birds, butterflies, and vegetation in response to grassland habitat management in the Grand River Grasslands/Kellerton Bird Conservation Area in southwest Iowa.

Iowa State University has been working in this region for several years, and has the expertise needed to engage land managers and to evaluate the effects of habitat management projects on the ecological community. Iowa State University will conduct surveys of birds, butterflies, and vegetation, and will work with DNR to engage land managers on public and private lands in the project area to collaboratively manage grasslands in a way that maximizes benefits to the natural communities and the farming and ranching communities.

Selection Process Summary: Intergovernmental contracting with Iowa State University is authorized under 11 IAC 106.4. ISU was chosen for their faculty's relevant expertise to conduct statistically sound sampling design, properly conduct ecological surveys for birds, vegetation, and butterflies, and to analyze the resulting data in a way that is relevant to our wildlife management decisions.

Katy Reeder, Wildlife Bureau, Executive Officer
Conservation and Recreation Division
November 14, 2013

**Iowa Department of Natural Resources
Natural Resource Commission**

***#6** (**indicates proposed consent item*)

Decision Item

Timber Sale Contract with River City Hardwoods for Shimek State Forest

Commission approval is requested for a timber sale contract with River City Hardwoods of Muscatine, IA, for Shimek State Forest.

Contract Terms

Income: \$72,150.50

Dates: 11/14/13 to 04/14/15

Fund Deposited to: Conservation Fund - Forestry

Contract Purpose: An even-aged management system will be used in accordance with the Shimek State Forest Management Plan to allow sunlight to stimulate the growth of oak seedlings already present on the site. This contract will facilitate a hardwood timber harvest of an estimated 121,260 board feet in 941 mixed hardwood trees at Shimek State Forest in Lee County. There are an additional 90 cull trees marked for harvest. Cull trees may be harvested, but are not included in the board foot volume of the sale. Seedlings may be planted following the harvest to supplement natural regeneration. Prescribed fire may be used periodically as a management tool to stimulate oak regeneration and control competing vegetation after the harvest. A natural areas inventory was conducted and there are no known threatened and endangered species in the harvest area. Harvesting and regenerating this stand will also help manage oak wilt and improve the overall health and vigor of the forest.

Wildlife den trees will not be marked and will be left standing. Best management practices (BMP's) will apply to the site. No tops or harvesting residue will be left in adjacent waterways. Harvesting is to occur only when ground is firm or frozen to minimize soil disturbance. Skid trails and landing areas will be repaired following the harvest. No skid trails will be allowed in the SMA (Streamside Management Area; area within 50 feet of the adjacent waterway) except at designated stream crossings.

Selection Process Summary: An informal bid process was completed. To be qualified, a timber buyer must have on file with the State of Iowa a bond meeting the requirements of Section 456A.36 of the Code of Iowa and Chapter 571-72 of the Iowa Administrative Code. The area forester and supervisor reviewed the bid proposals and the highest bid from the most responsive and responsible bidder was selected.

Date bids received: 10/17/13

Number of Bids Received: 6

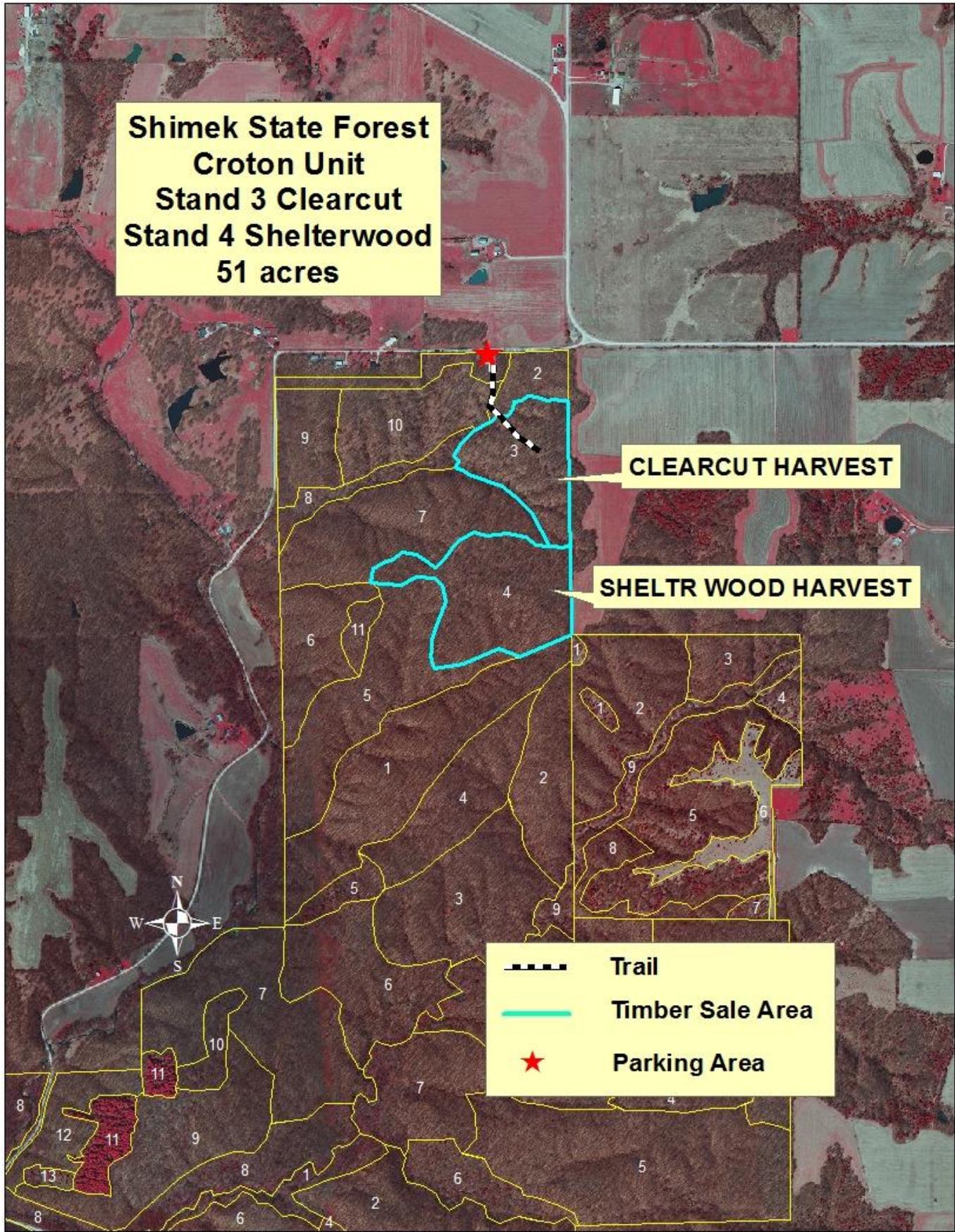
Recommendation: River City Hardwoods

Bidder	City, State	Amount of Bid
River City Hardwoods	Muscatine, IA	\$72,150.50
Al Cole Logging	Strawberry Point, IA	\$33,010.00
RJ Forestry	Drakesville, IA	\$32,500.00
Ken Knapp Logging	Fayette, IA	\$31,955.00
Jones Wood Heating and Logging	McGregor, IA	\$30,307.00
Fox River Hardwoods	Bloomfield, IA	\$26,200.00

Jeff Goerndt, State Forests Section Chief
Conservation and Recreation Division
November 14, 2013

Attachment: timber sale map

**Shimek State Forest
Croton Unit
Stand 3 Clearcut
Stand 4 Shelterwood
51 acres**



CLEARCUT HARVEST

SHELTR WOOD HARVEST

-  **Trail**
-  **Timber Sale Area**
-  **Parking Area**

**Iowa Department of Natural Resources
Natural Resource Commission**

*#7 (**indicates proposed consent item*)

Decision Item

Timber Sale Contract with Kendrick Forest Products for Yellow River State Forest - 1

Commission approval is requested for a timber sale contract with Kendrick Forest Products of Edgewood, IA, for Yellow River State Forest.

Contract Terms

Income: \$76,666.00

Dates: 11/14/13 to 04/14/15

Fund Deposited to: Conservation Fund - Forestry

Contract Purpose: An even-aged management system will be used in accordance with the Yellow River State Forest Management Plan to allow sunlight to stimulate the growth of oak seedlings already present on the site. This contract will facilitate a hardwood timber harvest of an estimated 101,009 board feet in 558 mixed hardwood trees at Yellow River State Forest in Allamakee County. There are an additional 30 cull trees marked for harvest. Cull trees may be harvested, but are not included in the board foot volume of the sale. Seedlings may be planted following the harvest to supplement natural regeneration. Prescribed fire may be used periodically as a management tool to stimulate oak regeneration and control competing vegetation after the harvest. A natural areas inventory was conducted and there are no known threatened and endangered species in the harvest area. Harvesting and regenerating this stand will also help manage oak wilt and improve the overall health and vigor of the forest.

Wildlife den trees will not be marked and will be left standing. Best management practices (BMP's) will apply to the site. No tops or harvesting residue will be left in adjacent waterways. Harvesting is to occur only when ground is firm or frozen to minimize soil disturbance. Skid trails and landing areas will be repaired following the harvest. No skid trails will be allowed in the SMA (Streamside Management Area; area within 50 feet of the adjacent waterway) except at designated stream crossings.

Selection Process Summary: An informal bid process was completed. To be qualified, a timber buyer must have on file with the State of Iowa a bond meeting the requirements of Section 456A.36 of the Code of Iowa and Chapter 571-72 of the Iowa Administrative Code. The area forester and supervisor reviewed the bid proposals and the highest bid from the most responsive and responsible bidder was selected.

Date bids received: 10/17/13

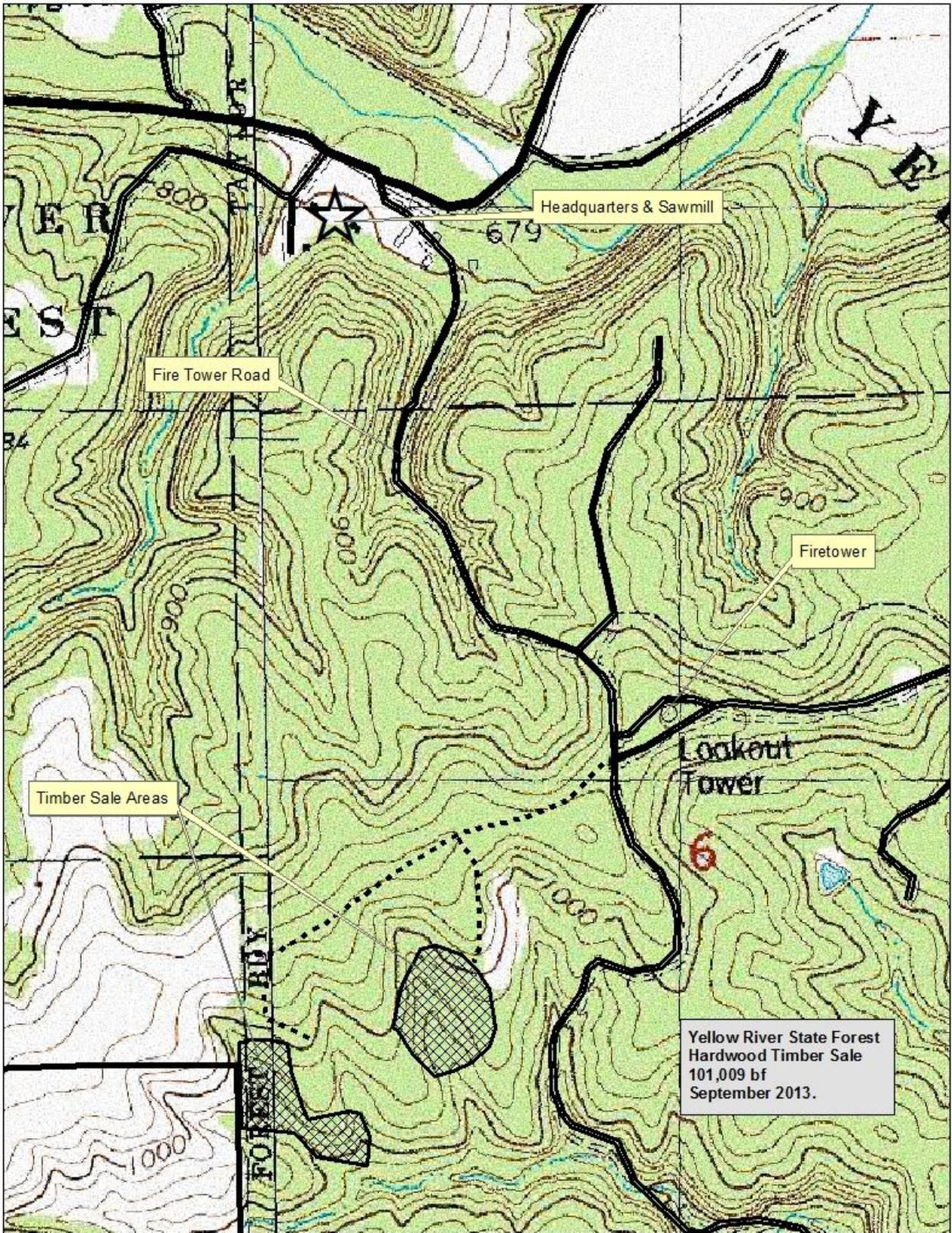
Number of Bids Received: 6

Recommendation: Kendrick Forest Products

Bidder	City, State	Amount of Bid
Kendrick Forest Products	Edgewood, IA	\$76,666.00
Dan Jones Logging	Waterville, IA	\$71,736.00
Flanagan Logging	Coggon, IA	\$56,230.00
Jones Wood Heating and Logging	McGregor, IA	\$52,500.00
Hawkeye Forest Products	Trempaleau, WI	\$52,471.00
John Schwartzhoff	Lansing, IA	\$50,994.00

Jeff Goerndt, State Forests Section Chief
Conservation and Recreation Division
November 14, 2013

Attachment: timber sale map



**Iowa Department of Natural Resources
Natural Resource Commission**

*#8 (**indicates proposed consent item*)

Decision Item

Timber Sale Contract with Kendrick Forest Products for Yellow River State Forest - 2

Commission approval is requested for a timber sale contract with Kendrick Forest Products of Edgewood, IA, for Yellow River State Forest.

Contract Terms

Income: \$35,903.00

Dates: 11/14/13 to 04/14/15

Fund Deposited to: Conservation Fund - Forestry

Contract Purpose: An even-aged management system will be used in accordance with the Yellow River State Forest Management Plan to allow sunlight to stimulate the growth of oak seedlings already present on the site. This contract will facilitate a hardwood timber harvest of an estimated 73,642 board feet in 490 mixed hardwood trees at Yellow River State Forest in Allamakee County. There are an additional 13 cull trees marked for harvest. Cull trees may be harvested, but are not included in the board foot volume of the sale. Seedlings may be planted following the harvest to supplement natural regeneration. Prescribed fire may be used periodically as a management tool to stimulate oak regeneration and control competing vegetation after the harvest. A natural areas inventory was conducted and there are no known threatened and endangered species in the harvest area. Harvesting and regenerating this stand will also help manage oak wilt and improve the overall health and vigor of the forest.

Wildlife den trees will not be marked and will be left standing. Best management practices (BMP's) will apply to the site. No tops or harvesting residue will be left in adjacent waterways. Harvesting is to occur only when ground is firm or frozen to minimize soil disturbance. Skid trails and landing areas will be repaired following the harvest. No skid trails will be allowed in the SMA (Streamside Management Area; area within 50 feet of the adjacent waterway) except at designated stream crossings.

Selection Process Summary: An informal bid process was completed. To be qualified, a timber buyer must have on file with the State of Iowa a bond meeting the requirements of Section 456A.36 of the Code of Iowa and Chapter 571-72 of the Iowa Administrative Code. The area forester and supervisor reviewed the bid proposals and the highest bid from the most responsive and responsible bidder was selected.

Date bids received: 10/17/13

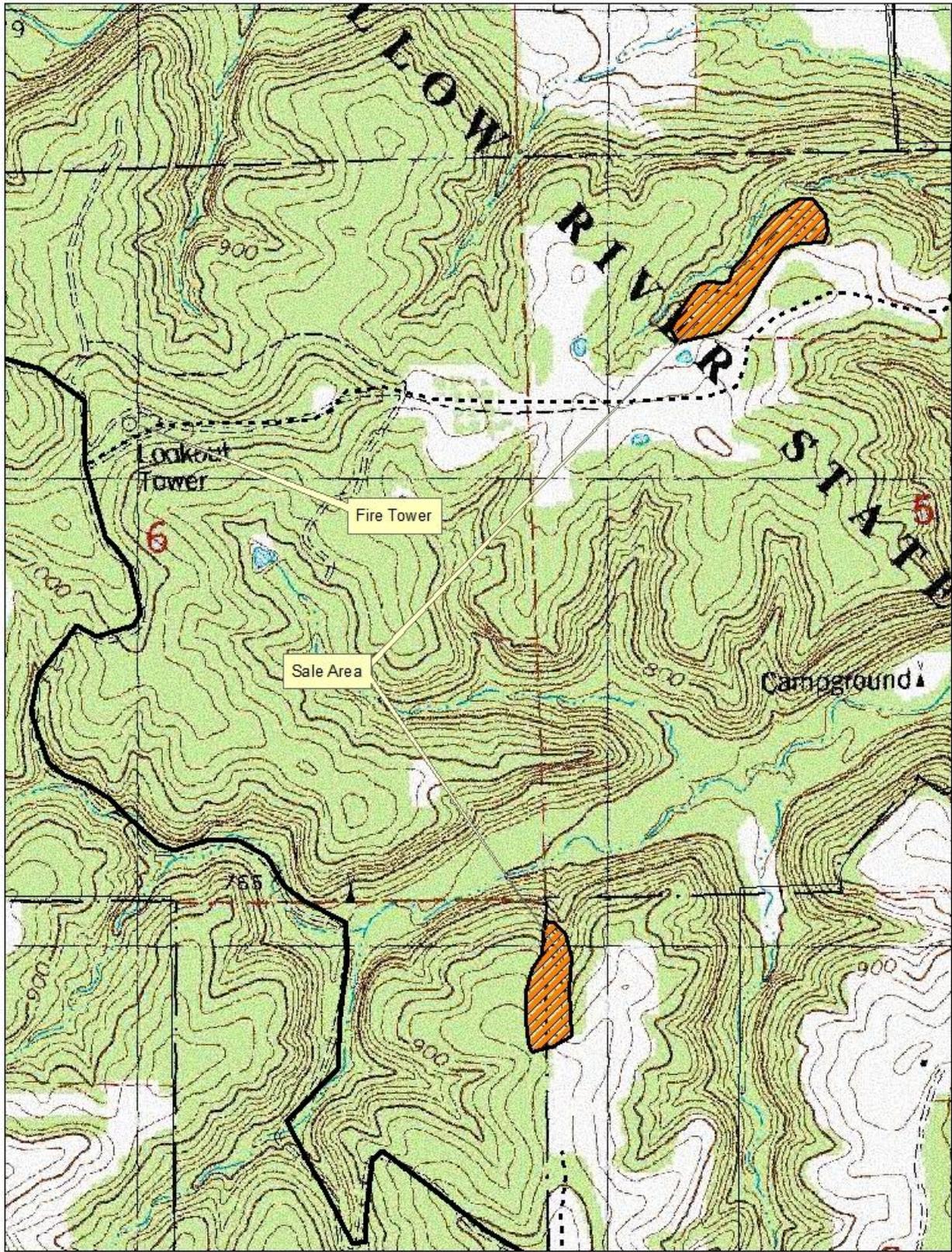
Number of Bids Received: 7

Recommendation: Kendrick Forest Products

Bidder	City, State	Amount of Bid
Kendrick Forest Products	Edgewood, IA	\$35,903.00
Dan Jones Logging	Waterville, IA	\$31,477.00
Grau Logs and Lumber	Elkader, IA	\$30,337.00
Flanagan Logging	Coggon, IA	\$28,673.00
John Schwartzhoff	Lansing, IA	\$27,658.00
Hawkeye Forest Products	Trempaleau, WI	\$25,853.00
Jones Wood Heating and Logging	McGregor, IA	\$25,000.00

Jeff Goerndt, State Forests Section Chief
Conservation and Recreation Division
November 14, 2013

Attachment: timber sale map



**Iowa Department of Natural Resources
Natural Resource Commission**

#9

Decision Item

Land Acquisition Projects

1. Kellerton Bird Conservation Area, Ringgold County, Sickels

The Natural Resource Commission's approval is requested to purchase a tract of land located in Ringgold County adjacent to state-owned and managed Kellerton Bird Conservation Area (BCA).

Seller: Larry and Linda Sickels

Acreage: 74-acre tract

DNR Purchase Price: \$334,500

Appraised Value: \$334,500

Appraised By: Darrell Limkeman, Licensed Appraiser of Ottumwa, Iowa

Property Description: This property is located one mile west of Kellerton in east central Ringgold County. The moderately sloping to steep tract contains 54 acres of cropland, 9 acres of grassed waterways and terraces, 7 acres of timber and ponds, 2 acres of building site, and 2 acres of public road right of way. The average Corn Suitability Rating of the farm is 46. There is a metal pole building and two 4300-bushel grain bins on the property. The sellers will retain the right to salvage the grain bins and personal property from the building through June 30, 2014. A county gravel-base road along the entire west boundary provides access.

Purpose: This tract will provide a wintering area for the prairie chicken, fishing opportunities at the ponds, and enhanced outdoor recreation through upland game bird management.

DNR Property Manager: Wildlife Bureau

Funding Source(s): 50% Wildlife Habitat Stamp, 50% State Wildlife Grant (Federal).

Incidental Costs: The sellers will retain the cropping rights for the 2014 crop year. The tract will remain on the property tax rolls. No survey or fencing costs is anticipated. Incidental closing costs will be the responsibility of the Department.

2. Prairie Rose State Park, Shelby County, Mills

The Natural Resource Commission's approval is requested to accept the donation of a permanent easement for storage of water and retention of silt adjacent south of Prairie Rose State Park in Shelby County.

Donor: Edwin Mills

Acreage: 4-acre tract

Property Description: This property is located adjacent south of Prairie Rose State Park in Section 4 of Monroe Township. The easement segment is grassland. The earthen dam will be located north of the Mills farm on State land.

Purpose: The structure will be designed to trap sediment and to impound water to reduce runoff of soil and nutrients into Prairie Rose Lake. The project will cause water impoundment and sediment retention within the basin and located on a portion of the subject property. During extreme precipitation runoff,

floodwater could result in occasional flooding to the top of the structure's elevation (1,275.0 ft. above mean sea level).

DNR Property Manager: State Parks Bureau

Incidental Costs: The State will provide for construction of a field crossing southeast of the impoundment to accommodate modern farm equipment. The State will also be responsible for construction of a boundary fence and signing/posting at the property line extending to each side of the impoundment to the normal pool elevation.

Travis Baker, Land & Waters Bureau Chief
Conservation and Recreation Division
November 14, 2013

**Iowa Department of Natural Resources
Natural Resource Commission**

***#10** (**indicates proposed consent item*)

Decision Items

Land Management Projects

***1. Chapter 18 Lease, Clayton County, Betty Gingrich**

The Natural Resource Commission is requested to approve a Chapter 18 lease with Betty Gingrich.

Location: An area approximately 8' x 24' adjacent to Lot 12 in Block 26, Section 22, Township 95N, Range 3W of the 5th P.M., Clayton County, Iowa.

Site Purpose: The site contains an 8 x 24 portion of a garage for storage.

Lease History: During a survey completed in 2012 of the Pikes Peak State Park area, this encroachment was discovered. All personal property has been removed from state land except for the 8 x 24 portion of a garage. Field staff felt it was in good faith to offer a Chapter 18 lease. Additional lease stipulations are as follows:

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

Lease Fee and Term: The annual fee is \$300.00 with a condition that the fee may be adjusted to comply with adopted administrative rule changes that affect lease fees. The term of the lease will be five years.

***2. Chapter 18 Lease Renewal, Muscatine County, RGL, LLC (Acme Materials)**

The Natural Resource Commission is requested to approve Chapter 18 lease 11-N with RGL, LLC (Acme Materials).

Location: The lease is for a parcel of land approximately 100 feet in depth by 100 feet of frontage within the bed of the Mississippi River at River Mile 451.2, located one and one-half miles south of the City of Muscatine.

Site Purpose: The site contains a dock structure constructed 285 feet from the centerline of levee consisting of 50' face and two 25' wing walls for the purpose of unloading and loading barges with sand.

Lease History: The location has been under lease since 1974. RGL, LLC (Acme Materials) purchased the facility from W. G. Block in June 2012. There has been no time lapse between ownership and RGL will not be changing the operation.

Lease Fee and Term: The annual fee is \$600.00 with a condition that the fee may be adjusted to comply with adopted administrative rule changes that affect lease fees. The term of the lease will be five years.

***3. Management Agreement Renewal, French Estate, Taylor County, Taylor CCB**

The Natural Resource Commission is requested to approve the management agreement with the Taylor County Conservation Board and the DNR for French Estate.

Location: The property is approximately 80 acres located nine miles east of Bedford, Iowa.

Site Purpose: Taylor County Conservation Board desires to continue to manage the property. The area is managed primarily as a nature and wildlife preserve. No hunting or motorized vehicles are allowed. There are three miles of trails available for hiking and equestrian use. The area is rich in plant species.

Management Agreement Term: This agreement authorizes the Taylor County Conservation Board to manage the area through 2037. Taylor CCB has managed the area since 1987.

***4. Easement Conveyance, Stephens State Forest, Southern Iowa Rural Water Assoc. (SIRWA)**

The Natural Resource Commission is requested to approve an easement for a water line and meter pit.

Project Description: DNR forestry staff is planning to install a water hydrant for the pack-in campsites and backpack trail system at Stephens State Forest. The hydrant will require SIRWA to tap into the existing water main and set a meter pit on state owned land.

Compensation: The easement is required to provide water service to the state forest; it will be conveyed with no compensation.

Travis Baker, Land & Waters Bureau Chief
Conservation and Recreation Division
November 14, 2013

**Iowa Department of Natural Resources
Natural Resource Commission**

#11

Decision Item

Chapter 30 – Low-head Dam Public Hazard Cost-share Grant Recommendations

The Natural Resource Commission is requested to approve the following grant recommendations pursuant to Chapter 30, Waters Cost-share and Grant Programs.

Grant Purpose: The purpose of the Low-Head Dam Public Hazard Program is to reduce drowning hazards and promote fish passage on Iowa’s navigable rivers. Any owner of a low-head dam or a partner organization, providing at least 50% cost share, is considered to be an eligible applicant.

Funding Source(s): Rebuild Iowa Infrastructure Fund (State Appropriation)

Grant Funding Available: \$510,000

Summary of Selection Process: As directed by criteria under Chapter 30, the grant review and selection committee met on October 15, 2013, to evaluate and score applications and to provide recommendations for the grant awards.

Selection Committee Members: The review and selection committee consisted of five members:

- Citizen Stakeholders (2)
- DNR Staff (3)

Number of Applications Received: 5

Recommendations: The committee recommends funding to the top 5 ranked projects. If the highest ranked projects decline the funding, the Department requests authority to offer those funds to the next highest scored projects that meet the grant criteria or return the funds to the grant program for distribution in the next grant cycle.

Ranked by Score	Grant Applicant	Project Description	Grant Amount Requested	Recommended Award
91.8	Linn County Conservation	Buffalo Creek Park Dam Mitigation Study	\$48,200	\$48,200
91	City of Iowa City	Design Phase - Burlington Street Dam Mitigation and Whitewater Park -- Iowa River Water Trail	\$50,000	\$50,000
87	City of Goldfield	Goldfield River Park Dam Improvement Project	\$35,112	\$35,112
86.4	Delaware County	Quaker Mill Dam Removal and Stream Restoration	\$252,000	\$252,000
79	Hungry Canyons Alliance and Page County	Modify a Grade Control Weir on the Tarkio River in Page County, Iowa to Improve Fished Passage and Recreation	\$140,000	\$124,688
TOTALS			\$525,312	\$510,000

Travis Baker, Land & Waters Bureau Chief
Conservation and Recreation Division
November 14, 2013

**Iowa Department of Natural Resources
Natural Resource Commission**

#12

Decision Item

Chapter 28, “Snowmobile and All-Terrain Vehicle Registration Revenue Cost-Share Program” and Chapter 47, “Snowmobiles”– Final Rule

The Commission is requested to adopt a final rule to amend Chapter 28, “Snowmobile and All-Terrain Vehicle Registration Revenue Cost-Share Program,” and Chapter 47, “Snowmobiles,” Iowa Administrative Code.

Basic Intent of Rule: Chapter 28 is intended to clarify procedures used in implementing snowmobile and all-terrain vehicle cost-share grant agreements under Iowa Code section 321G.7. Chapter 47 regulates snowmobile registration, renewal, titling, and establishes minimal standards for snowmobile dealers

Proposed Rule Change: The proposed rule making implements the action steps identified in a process improvement event held by the Department with the Iowa State Snowmobile Association (ISSA) 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 rule:

- Changes the snowmobile cost-share application submittal date from July 1 to May 1 each year (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.
- Provides more detailed project selection criteria for the purchase, repair and operation of grooming equipment, trail development, and land acquisition (47.36(321G)).
- Identifies records kept by entities receiving funds under this program are subject to audit by the Department and the State Auditor’s Office (47.40(321G)).
- Specifies the requirements for seeking funds for land acquisition such as easements and leases (47.43(321G)).
- Provides more clarity on the reimbursement of expenses to ISSA (47.42(7)). While existing rules allow ISSA to seek reimbursement of certain expenses pursuant to an agreement with the Department, the proposed rule making clarifies the exact types of items eligible for reimbursement. Moreover, the proposed rule making 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.
- 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.

NOIA Process: Notice of Intended Action was published in the Iowa Administrative Bulletin on September 18, 2013, as ARC 1022C. Public hearings were held on June 20, 2013, and October 8, 2013. No comments were received.

Additional Changes from NOIA: None

Effective Date of Final Rule: The Final Rule will be effective on January 15, 2014.

David Downing, Executive Officer, Parks Bureau
Conservation and Recreation Division
November 14, 2013

Attachment: Chapter 28, “Snowmobile and All-Terrain Vehicle Registration Revenue Cost-Share Program” and Chapter 47, “Snowmobiles”– Final Rule

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 amends Chapter 28, “Snowmobile and All-Terrain Vehicle Registration Revenue Cost-Share Program,” and Chapter 47, “Snowmobiles,” Iowa Administrative Code.

The proposed rule making implements the action steps identified in a process improvement event held by the Department with the Iowa State Snowmobile Association (ISSA) 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 rule making changes the snowmobile cost-share application submittal date from July 1 to May 1 each year (see proposed subrule 47.33(2)). By moving the cost-share cycle forward, applicants can enter into approved cooperative agreements sooner, allowing for better timing of pre-season groomer repairs, trail development planning, and land acquisition such as securing land leases. The proposed rule making also provides more detailed project selection criteria for the purchase, repair and operation of grooming equipment, trail development, and land acquisition (see proposed rule 571—47.36(321G)). The proposed rule making 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 rule 571—47.40(321G)). The proposed rule making also specifies the requirements for seeking funds for land acquisition such as easements and leases (see proposed rule 571—47.43(321G)). In addition, the proposed rule

making provides more clarity on the reimbursement of expenses to ISSA (see proposed subrule 47.42(7)). While existing rules allow ISSA to seek reimbursement of certain expenses pursuant to an agreement with the Department, the proposed rule making clarifies the exact types of items eligible for reimbursement. Moreover, the proposed rule making 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 rule making 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 rule making has positive impacts on the state and local economies, supporting existing jobs and growth. By moving the cost-share application deadline from July 1 to May 1, 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 and 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 landowner lease agreements. The existing rules limit 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.

This rule making received preclearance from the Governor's Office on March 21, 2013, and was approved by the Natural Resource Commission on May 9, 2013. Notice of Intended Action was published in the Iowa Administrative Bulletin on May 1, 2013, as ARC 0721C. Public hearings were held on June 20, 2013, and on October 8, 2013. No comments were received.

These amendments are intended to implement Iowa Code sections 321G.2 and 321G.7. The following amendments are 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~~ program 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~~ registration 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~~ the 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 registration revenue generated for ~~either~~ the 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~~ revenue 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~~ committee shall meet at the department central office in Des Moines within 30 days following the application deadline for ~~each~~ the 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(2) 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~~ this program 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~~ this program 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~~ **571—28.14(321G 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~~ **571—28.15(321G 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~~ **571—28.16(321G 321I) Expense documentation, balance payment or reimbursement.**

28.16(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.

28.16(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.

— ~~28.16(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.

28.16(4) 28.16(3) Documentation of expenditures under the all-terrain vehicle portion of the revenue cost-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.

28.16(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~~ **571—28.17(321G 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 ~~section 321G.7~~ sections 321I.2 and 321I.8.

ITEM 2. Adopt the following **new** Division I implementation sentence after rule 571—47.9(321G):

The rules in this division are intended to implement Iowa Code section 321G.2.

ITEM 3. Adopt the following **new** Division II implementation sentence after rule 571—47.29(321G):

The rules in this division are intended to implement Iowa Code section 321G.7.

ITEM 4. Adopt the following **new** Division III in 571—Chapter 47:

DIVISION III

SNOWMOBILE REGISTRATION REVENUE COST-SHARE PROGRAM

571—47.30(321G) Definitions.

“Commission” means the natural resource commission.

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

“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 trails a sponsor signs every year but does not groom consistently. Secondary trails include trails that are signed and maintained by mowing.

“Sponsor” means the incorporated organization or public agency receiving funding through the snowmobile cost-share program 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 and 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 the registration fund shall be at least 50 percent of registration revenue. 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. For application reviews and for the 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. The applicant’s 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 this program 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 this program 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 571—47.43(321G).

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:

(1) 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.

(2) Pay not more than the appraised value, as determined in subparagraph 47.43(3) “b”(1), for the real property.

(3) 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 Iowa Code section 362.3. 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 the request for 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 revenue cost-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.

The rules in this division are intended to implement Iowa Code sections 321G.2 and 321G.7.

Date

Chuck Gipp, Director

**Iowa Department of Natural Resources
Natural Resource Commission**

#13

Decision Item

Construction – Prairie Rose State Park Hydraulic Dredging

The Department requests Commission approval of the following construction project:

Project Summary: Prairie Rose Lake is a 173 acre man-made lake that was initially impounded in 1958. It is listed as one of the initial priority lakes for restoration. A Diagnostic/Feasibility study was completed which identified water quality issues and outlined the necessary steps for restoration. Surrounding watershed work is complete and lake restoration work is approximately 95% complete. Lake restoration work completed includes in-lake shoreline deepening, fish habitat construction, dam/spillway repair, wetland construction on public property, and fish restocking. Construction of a silt containment site is in progress. This current construction project will provide in-lake hydraulic dredging of 185,000 cubic yards of silt from this prioritized lake.

Construction Needed: This project consists of removing approximately 185,000 cubic yards of sediment that has been deposited in Prairie Rose Lake from surface erosion. The sediment will be removed from the lake bed and pumped to a containment site on the south side of the park property. The containment site is currently under construction. The anticipated start date of the dredging operation is May 30, 2014. The contractor will be responsible for installing the water control structure for the containment site in addition to the dredging operation. Temporary pipelines to be placed in the road ditches are considered incidental to the dredging operation.

Green Features: Improved water quality and deep water habitat within the lake upon completion of the dredging and containment site. As of 2013, water clarity of over 5 feet and chlorophyll (measure of green pigment in the water) of less than 16 ppb is twice as good as values observed over the past ten years.

Engineering Project #: 13-04-83-01

Project County: Shelby County

DNR Project Manager: Heath Delzell, PE; Engineering Bureau

Designer: Heath Delzell, PE; Engineering Bureau

DNR Inspector: Mark Johnson, Engineering Bureau

Operating Bureau: Fisheries

Funding Source: 100% Lake Restoration

Engineering Cost Estimate: \$1,010,000

Plans Issue Date: 9/30/2013

Bid Letting Date: 10/17/2013

Plan Holders: 6

Number of Bids Received: 2

Bidders

Viet Dredging, Inc.

Rogers, MN

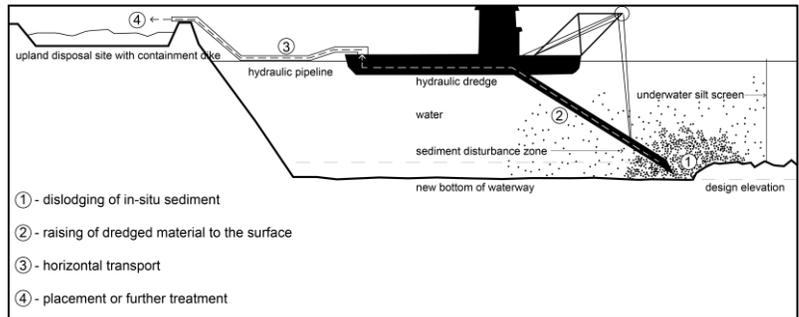
\$1,479,987.50

Upper Missouri River Commercial Contractors, LLC

Lincoln, NE

\$2,289,559.00

Upon Engineering's review of bids, IDNR recommends awarding the bid to Viet Dredging, Inc.



Joe Larscheid, Fisheries Bureau Chief
Conservation and Recreation Division
November 14, 2013

Attachment: Prairie Rose Lake Restoration Fact Sheet

PRAIRIE ROSE LAKE RESTORATION FACT SHEET

Initial Statistics

- * Man-made lake; initially impounded in 1958
- * 173 surface acres
- * 4,642 acre watershed
- * 27/1 watershed to lake ratio
- * 11% of watershed in public ownership
- * 100% of shoreline in public ownership
- * Watershed composition - 60.4% row crop, 23% pasture/hay, 7.2% CRP, 4.5% water, 3.5% timber, 1.4% Urban (homesteads, roads, etc.)
- * Current mean water depth 8.8 feet, maximum water depth 22.2 feet; post dredging 9.5 foot mean depth
- * Current average water clarity prior to restoration – 1.5 feet (historically 2.4 feet)
- * Current average total phosphorus (TP) – 81 ppb (historically 91 ppb, but can exceed 290ppb)
- * Since initial impoundment, lake has experienced a 14% loss of volume and 27 surface acres
- * Annual sediment delivery to the lake estimated at 3,136 tons/year and phosphorus delivery 1,054 lbs/year
- * The state owned property serves as a public recreation facility providing camping, day-use, swimming, fishing, wildlife viewing, and limited hunting opportunities
- * Identified as one of the DNR's initial priority lakes for restoration
- * Initial estimate of lake restoration from ISU Diagnostic/Feasibility study was \$4.2 million

Prairie Rose Lake Restoration Plan		Component In Progress	Component Completed	Budget	Funding Source
Planning / Preparation Stage	Completed a diagnostic/feasibility study through Iowa State University. Goals of restoration efforts were to improve water clarity from 1.5 feet to just over 4 feet; remove the lake from the impaired waters listing; and increase use of the park and lake.		2008	\$95,000	Lake Restoration Program (LRP)
Planning / Preparation Stage	DNR met with NRCS, IDALS, and community leaders to discuss watershed work and restoration plans in conjunction with ISU's diagnostic / feasibility study. Established a TMDL (total maximum daily load) for turbidity and algae and target BMP (best management practices) to reduce sediment /nutrient delivery sources from both private and public land with the goal to reduce annual sediment and phosphorus delivery to the lake by 60%. Shelby SWCD conducted a watershed assessment followed by a joint Iowa Department of Agriculture and Land Stewardship / IDNR Watershed Improvement Section grant to accomplish targeted soil conservation work in the watershed.		2008		
Planning / Preparation Stage	In partnership with Pheasants Forever, DNR acquired a 77-acre dredge spoil containment site; an important component to the in-lake restoration work. An initial archeological survey was completed on state lands and engineering plans were developed for in-lake construction.		2010	\$340,000	LRP with \$10,000 from local PF

Planning / Preparation Stage (<i>Watershed BMPs</i>)	Through the Prairie Rose Water Quality Project, there was over 225,000 feet (40 mi.) of terraces, grassed waterways, structural BMPs and nutrient management plans added to the watershed. Estimated reduction of sediment and nutrient delivery to the lake met original goal.		2010	\$606,359	\$510,611 DNR/IDALS grant to Shelby SWCD; \$95,748 local cost-share
	Construct two rock chute wetlands and two road risers on public land on the four main drainages of the lake.		2011	\$191,683	50% cost-share from LRP
Construction Phase 1	Drain lake in preparation for construction.		Summer 2011		
	Spillway modification to replace a leaning wall and develop a fish barrier to prevent rough fish re-entering the lake; M47 structure and gate valve repair		2011 – 2012	\$185,242	LRP
	Mechanical dredging and removal of 60,000 cubic yards of sediment from the SE basin			\$289,951	LRP
	Construction to stabilize and deepen severely eroding shoreline areas and improve fish habitat			\$234,246	65% FWTF 35% LRP
	Fish renovation, archeological assessment			\$30,000	LRP
	<i>The spillway gate was shut and Prairie Rose Lake began to re-fill following the treatment of the watershed to remove undesirable fish species. (e.g. common carp).</i>				
Construction Phase 2	Construct a dredge spoil containment site.	NRC approved 08/08/13	(est 2014)	\$629,154	LRP
Construction Phase 3	Hydraulic dredging of approximately 185,000 cubic yards of sediment	Project to NRC 11/14/13	(est 2014)	\$1,479,988	LRP
Construction Phase 3	Construct a large sediment control structure (pond) on the south arm of lake on public/private ground.	to bid Spring 2014	(est 2014)	\$85,000	LRP

**Iowa Department of Natural Resources
Natural Resource Commission**

#14

Decision Item

Construction – Beeds Lake State Park, Shower Building Demolition and Replacement

The Department requests Commission approval of the following construction project:

Project Summary: The Parks Bureau is systematically replacing and upgrading the showers in state park campgrounds that are old, difficult to maintain, and do not comply with the Americans with Disabilities Act (ADA). Beeds Lake State Park is a 121 site campground. The purpose of this project is to install a new precast concrete shower building and associated utilities, as well as relocate a campsite that is being impacted by the construction. This 57 year old shower building has outlived its design life and is in need of replacement. The other shower building, which was 44 years old, was replaced earlier this summer.

Construction Needed: This project consists of the demolition of an existing shower building in the campground, installing a new shower building in the same location, and constructing a campsite near the shower building that will replace the one being impacted by the building installation. The new campsite will be seated to complement the flow of the other campsites. The new shower building will have four showers and six toilets. Construction includes installing ADA sidewalks and parking for access to the new building, all earthwork, supplying and installing the new structures and incidental work as required by the project documents and the IDNR Inspector.

Green Features: Exterior lighting will be photocell activated (full cut-off), Dark Sky compliant, and interior lighting will be motion activated.

Engineering Project #: 14-02-35-02

Project County: Franklin

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 2014

Engineering Cost Estimate: \$280,000

Plans Issue Date: 9/30/13

Bid Letting Date: 10/17/13

Plan Holders: 10

Number of Bids Received: 5

Bidders

Boulder Contracting LLC

Grundy Center, IA

\$246,754.20

AAA Concrete LLC

Adair, IA

\$257,591.45

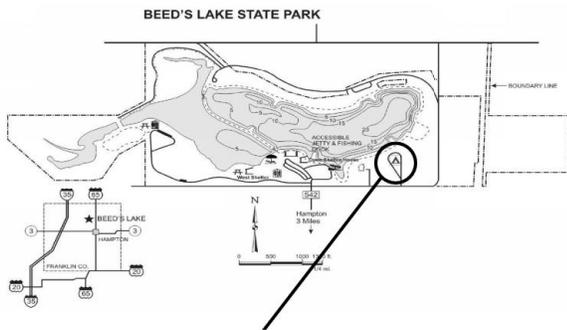
King-Knutson Construction
TBB&M LLC
Dean Snyder Construction Co

Iowa Falls, IA
Greenfield, IA
Clear Lake, IA

\$266,578.85
\$294,636.60
\$311,213.99

Upon Engineering's review of bids, IDNR recommends awarding the bid to Boulder Contracting, LLC.

Jim Lawson, State Parks Bureau Chief, Interim
Conservation and Recreation Division
November 14, 2013



New Building



Existing Shower Building

Iowa Department of Natural Resources
Natural Resource Commission

#15

Decision Item

Construction – Elk Rock State Park, Two Shower Building Replacements

The Department requests Commission approval of the following construction project:

Project Summary: The Parks Bureau is systematically replacing and upgrading the showers in state park campgrounds that are old, difficult to maintain, and do not comply with the Americans with Disabilities Act (ADA). There are 87 campground sites at Elk Rock State Park. The purpose of this project is to install two new precast concrete shower buildings and associated utilities. The two 43 year old shower buildings have outlived their design life and are in need of replacement.

Construction Needed: This project consists of the demolition of two existing shower buildings in the campgrounds, installing one new shower building in the same location (equestrian campground) and the second in a new location (non-equestrian campground). Each new shower building will have four showers and six toilets. This includes installing ADA sidewalks and parking for access to the new buildings, all earthwork, supplying and installing the new structures and incidental work as required by the project documents and the IDNR Inspector.

Green Features: Exterior lighting will be photocell activated (full cut-off), Dark Sky compliant; Interior lighting will be motion activated.

Engineering Project #: 14-05-63-01

Project County: Marion

DNR Project Manager: Mandi Aldrich Peters, PE; Engineering Bureau

Designer: Mandi Aldrich Peters, PE; Engineering Bureau

DNR Inspector: Jason Kruse, PE; Engineering Bureau

Operating Bureau: Parks

Funding Source: 100% Infrastructure 2014

Engineering Cost Estimate: \$585,000.00

Plans Issue Date: 9/30/13

Bid Letting Date: 10/17/13

Plan Holders: 16

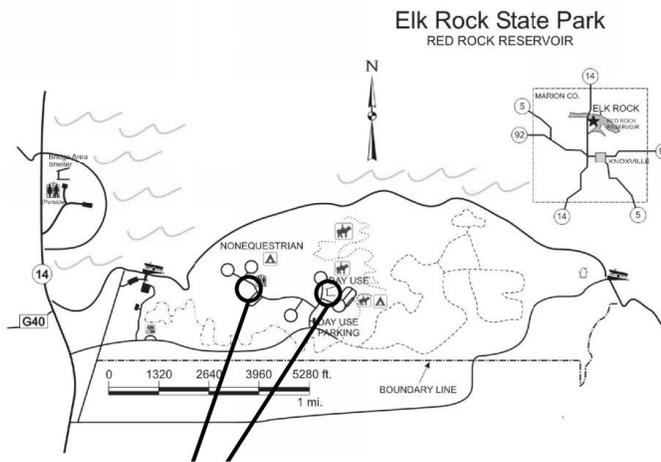
Number of Bids Received: 5

Bidders

AAA Concrete LLC	Adair, IA	\$519,284.94
TK Concrete Inc	Pella, IA	\$519,785.90
Boulder Contracting LLC	Grundy Center, IA	\$565,477.42
Vieco Dev. & Construction Co. Inc.	St Joseph, MO	\$573,481.00
TBB&M LLC	Greenfield, IA	\$614,679.65

Upon Engineering's review of bids, IDNR recommends awarding the bid to AAA Concrete LLC.

Jim Lawson, State Parks Bureau Chief, Interim
Conservation and Recreation Division
November 14, 2013



New Building



Images of shower buildings of same vintage from other parks that have been replaced in the last two years.

**Iowa Department of Natural Resources
Natural Resource Commission**

#16

Information Item

Small Construction Projects

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
8/29/2013	13-05-59-04 Forestry	Stephens State Forest, Hidden Pond	Lucas	Replacement of a 12" CMP (corrugated metal pipe) pond outlet pipe with 12" SMP (smooth metal pipe) and other related work.	\$11,370	\$10,101.94 \$12,410.00
8/29/2013	10-03-03-03 Fisheries	Nobles Island Boat Ramp	Allamakee	Grading slope, placing subbase and top dressing of crushed stone, furnishing & placing articulating concrete block revetment system or equal, removing & placing the docks.	\$15,000	\$20,075.00 \$29,623.00
8/29/2013	14-03-03-01 Fisheries	Decorah Fisheries Management Unit	Allamakee	Stabilize eroding streambanks at 8 locations totaling approximately 1900 LF.	\$45,000	\$46,464.80 \$64,545.00 \$71,499.05
9/5/2013	14-05-04-02 Parks	Honey Creek Resort	Appanoose	Replace, grind, and lift concrete slabs that have broken, settled or heaved.	\$69,000	\$42,941.00 \$51,306.00
9/5/2013	14-03-17-01 Wildlife	Clear Lake Wildlife Unit	Cerro Gordo	Place 6" PCC paving over existing gravel boat ramp on the east end of the Ventura Marsh.	\$5,000	\$6,920.00 \$7,245.00
9/12/2013	13-03-96-04 Wildlife	Upper Iowa Wildlife Unit	Winneshiek	Develop a surfaced parking area, access roadway and canoe launch lane. Disturbed areas will be seeded.	\$15,000	\$12,485.00 \$13,350.00 \$19,820.00 \$21,100.50 \$56,790.60
9/12/2013	14-01-30-03 Wildlife	Welsh Lake WPA - DOT Wetland Mitigation	Dickinson	Water outlet area for a DOT mitigation project in the Welsh Lake wildlife area; excavation of 1,139 ft of channel, 290 ft of 8" tile installation, tile breaks, and erosion control measures.	\$39,900	\$34,348.00 \$41,154.18 \$41,635.00 \$51,774.00
9/12/2013	14-01-72-01 Wildlife	Rush Lake	Osceola	Improve depth and width of two existing channels at Rush Lake; excavation 2,420 ft of outlet channel, and 400 ft of boat ramp channel.	\$17,000	\$16,650.00 \$84,680.00

9/26/2013	13-01-97-02 Wildlife	Missouri River - Weedland Access	Woodbury	Add a 15' x 24' section of 6" thick reinforced PCC boat ramp to the end of the existing ramp at the Weedland Access to the Missouri River.	\$19,500	\$17,675.00 \$24,950.00
10/3/2013	09-06-89-04 Forestry	Shimek State Forest	Van Buren	Fill the existing CMP spillway with flowable mortar, installing a new 14" diameter SMP spillway, reshaping the emergency spillway.	\$23,000	\$15,273.51 \$24,835.00
10/3/2013	12-06-92-11 Fisheries	Lake Darling	Washington	Grading and shaping 250' of existing shoreline and incidental items.	\$49,000	\$32,983.50 \$46,191.50 \$49,197.70 \$49,363.50
10/3/2013	14-05-04-05 Fisheries	Rathbun Hatchery	Appanoose	Repair headcut near Rathbun Hatchery by filling with riprap and securing with revetment grout.	\$4,900	\$5,230.00 \$6,781.50 \$6,950.00
10/10/2013	11-05-50-05 Fisheries	Rock Creek Lake State Park	Jasper	Construction of a sediment basin.	\$18,825	\$7,983.60 \$16,708.50 \$16,804.75 \$22,614.32 \$24,953.94 \$27,889.85 \$29,216.50 \$38,107.00 \$39,754.50
10/17/2013	09-06-89-04 Forestry	Shimek State Forest	Van Buren	Pond Repair, project consists of filling the existing CMP spillway with flowable mortar, installing a new 14" diameter SMP spillway, reshaping the emergency spillway.	\$23,000	\$15,273.51 \$24,835.00

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

Bid Date	Contract No.	Location	County	Summary	DNR Engineering Consultant	Bids
8/14/2013	14PI-CRDLWBZKOP-005	Fleur Drive Dam, Des Moines	Polk	Excavation for portage trail at low head dam.	Don Labate	10,000.00
6/20/2013	14PI-CRDPBCHack-0001	Springbrook State Park	Guthrie	Excavate dirt and concrete foundation wall to install egress window, egress window well, and thermal cover.	Mark Johnson	\$1,750.00

7/11/2013	14PI-CRDPBMShea-0002	Backbone State Park	Delaware	Replace underground wire in conduit from service pole to maintenance shop. Replace circuit breaker on service pole	Mel Pacovsky	\$3,431.00 \$3,500.00 \$3,750.00
7/18/2013	14PI-CRDPBMLuca-0003	Lake Darling State Park	Washington	Install treat plate to cover bridge on foot trail	Bruce Flippen	\$2,425.25 \$2,709.33 \$3,643.11
9/17/2013	13PI-CRDPBJHans-0006	Palisades Kepler State Park	Linn	Remove and dispose of old garage doors and install new garage doors	Bruce Flippen	\$4,990.00 \$6,640.00
9/12/2013	14PI-CRDPBRSchi-0008	Springbrook Ed Center	Guthrie	Replace and install lined draperies and hardware for 26 windows in 3 lodge building dorm rooms. Current drapes are from 1969.	Mark Johnson	\$9,998.00
9/24/2013	14PI-CRDPBKHenn-0007	Dolliver State Park	Webster	Reroof campground shower building and 2 cabins	Don Labate	\$19,245.00
8/29/2013	14PI-CRDPBTDomo-0005	McIntosh Woods State Park	Cerro Gordo	Sandblast and repaint shower building	Don Labate	\$5,900.00 \$6,000.00
9/24/2013	14PI-CRDJRemb-0010	Clear Lake State Park	Cerro Gordo	Sandblast and repaint shower building	Don Labate	\$6,000.00
10/4/2013	14PI-CRDPBRMoor-0009	Lake Wapello State Park	Davis	Reroof shower building	Jason Kruse	\$3,290.00 \$3,719.69 \$4,101.70
10/11/13	14PI-CRDWBCKEMM-0003	Muskrat Slough WMA	Jones	Construct a wetland dike for the purpose of restoring a 16 acre wetland basin.	Bruce Flippin	\$5,650.00

Gabe Lee, PE, Engineering Bureau Chief
Conservation and Recreation Division
November 14, 2013

**Iowa Department of Natural Resources
Natural Resource Commission**

#17

Decision Item

Donations

The Natural Resource Commission is requested to approve the following donations:

Donation to:	Amount	Description	Donation Provided by:
Law Enf Bureau for Youth Hunt	\$40.00	Reflectors for the Woodbury County Youth Waterfowl Hunt	John and Greta McCarthy
Law Enf Bureau for Youth Hunt	\$50.00	Gift card for the Woodbury County Youth Waterfowl Hunt	Mark Baker Baker Taxidermy
Law Enf Bureau for Youth Hunt	\$100.00	Refreshments for the Woodbury County Youth Waterfowl Hunt	Steve Lyman Chestermans
Law Enf Bureau for Youth Hunt	\$100.00	Refreshments for the Woodbury County Youth Waterfowl Hunt	Tim Seubert S&S Implement
Lake Macbride State Park	\$160.00	Funds toward a memorial tree at the primitive campground	Cory McGuire
Law Enf Bureau for Youth Hunt	\$250.00	Decoys for the Woodbury County Youth Waterfowl Hunt	Blake Miller
Law Enf Bureau for Youth Hunt	\$250.00	Decoys for the Woodbury County Youth Waterfowl Hunt	Chad Gill
Law Enf Bureau for Youth Hunt	\$480.00	Hats for the Woodbury County Youth Waterfowl Hunt	Kim Wardlow Avery Outdoors
Law Enf Bureau for Youth Hunt	\$480.00	Hats for the Woodbury County Youth Waterfowl Hunt	Penni McIntosh Scheels
Pilot Knob State Park	\$500.00	Double-wide snowmobile trailer	Deb Coates
Maquoketa Caves State Park	\$1,841.60	Funds toward the purchase of a Toolcat	Sandra Gerlach Friends or Maquoketa Caves
Maquoketa Caves State Park	\$8,900.00	Funds toward the purchase of a Kubota RTV 900 4WD utility vehicle	Sandra Gerlach Friends or Maquoketa Caves

Chuck Corell, Administrator
Conservation and Recreation Division
November 14, 2013