

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

Thursday, January 23, 2014 - NRC Business Meeting

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 10:00am

Lunchtime Presentations:

- Green Ribbon Commission Parks to People Report
- Turtles Presentation

1.	Approval of Agenda Consent Agenda (<i>*within agenda indicates proposed consent agenda item</i>) *4 Contract with Pheasants Forever *7.5 Big Creek State Park – Polk County – Knapp	Decision	Commission
2.	Approve Minutes of 12/12/13 NRC Public Meeting	Decision	Commission
3.	Director's Remarks	Information	Director
*4.	Contract with Pheasants Forever	Decision	Kelly Smith
5.	Cooperative Agreement with Iowa Department of Agriculture and Land Stewardship	Decision	Joe Larscheid
6.	Construction - Lake Icaria Riprap	Decision	Joe Larscheid
7.	Public Land Acquisition Projects		
7.1	Preparation Canyon Unit – Loess Hills State Forest – Monona County – INHF	Decision	Travis Baker
7.2	Preparation Canyon Unit – Loess Hills State Forest – Monona County – INHF	Decision	Travis Baker
7.3	West Okoboji WMA – Dickinson County – INHF	Decision	Travis Baker
7.4	Buffalo Creek WMA – Delaware County – Zumbach	Decision	Travis Baker
*7.5	Big Creek State Park – Polk County – Knapp	Decision	Travis Baker
8.	Construction - Odessa Wildlife Management Area Headquarters Building	Decision	Angi Bruce
9.	Construction – Coon Creek WMA Streambank Stabilization	Decision	Angi Bruce
10.	Department of Transportation Parks and Institutional Roads Program Five Year Plan	Decision	Angela Corio
11.	Engineering Professional Services Contract - Lake Keomah State Park Roadway Reconstruction and Resurfacing Project	Decision	Gabe Lee
12.	Construction – Small Projects	Information	Gabe Lee

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.	Donations	Decision	Chuck Corell
14.	Rulemaking Petition: Restricting deer donated to HUSH to be taken with nontoxic ammunition or archery equipment	Decision	Dale Garner
15.	Division Administrator Comments	Information	Chuck Corell
16.	General Discussion		
<p>Upcoming NRC Meeting Dates:</p> <ul style="list-style-type: none"> • 01/29/14 – Legislative Open House, Capital Dining Rm, 7a-9a (optional) – NRC/EPC Joint Mtg, DNR, 7900 Hickman Rd, Windsor Hts, IA 12p-4:30p (informational) • 02/13/14 – Henry Wallace State Office Building, Des Moines, 9:30am (Business Meeting) • 03/13/14 – Henry Wallace State Office Building, Des Moines, 9:30am (Business Meeting) 			

For details on the NRC meeting schedule, visit:
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**Iowa Department of Natural Resources
Natural Resource Commission**

***#4** (*indicates proposed consent)

Decision Item

Contract with Pheasants Forever

Commission approval is requested for a contract with Pheasants Forever of St. Paul, MN.

Contract Terms

Amount: shall not exceed \$95,000

Dates: 01/24/14 to 12/31/14

DNR shall have the option to renew this contract as long as this contract and any extensions do not exceed a six-year period.

Funding Source(s): Fish and Wildlife Trust Fund

Contract Purpose: DNR's Wildlife Bureau has a long history of working in partnership with Pheasants Forever (PF) to deliver habitat improvements for wildlife to Iowa's landscape. PF shares a similar mission in creating and improvement habitat for the benefit of Iowa's wildlife.

The DNR's purpose in entering into this Cooperative Agreement is for the DNR to provide partial funding for Pheasants Forever (PF) to hire and employ up to 10 Farm Bill biologists, as well as, for the DNR to provide the structure of a Private Lands Program (PLP) within which the PF Farm Bill Biologists will work to assist with DNR in meeting its mission. PF's purpose in entering into this Cooperative Agreement is for PF to work in partnership with the DNR to hire, employ, and partially fund the biologists. The total amount of the contract with DNR shall not exceed \$95,000. Pheasants Forever will fund the remaining cost of the Farm Bill biologists, up to \$520,000. The Farm Bill biologist will provide assistance to voluntary landowners interested in discussing and evaluating habitat improvement recommendations and possible funding sources the landowner may seek to perform the recommended improvements.

The Department has partnered with Pheasants Forever in the Reload Iowa Farm Bill biologists program for the past four years with the goal of expanding technical assistance to landowners. Farm Bill biologists work one-on-one with landowners to deliver wildlife technical and financial assistance. From January 2013-September 2013, ten contracted PF Farm Bill biologists have provided habitat recommendations, such as CRP, native seeding, prescribed burning, timber stand improvement, and non-CRP wetlands, for 17,670 acres. The Farm Bill biologists and DNR Wildlife Bureau Private Lands Program staff coordinate efforts to present a cooperative program to the public.

Selection Process Summary: Non-governmental contracting with Pheasants Forever is authorized under 11 IAC 105.4(5) and 106.7.

Kelly Smith, Private Land Program/Executive Officer, Wildlife Bureau
Conservation and Recreation Division
January 23, 2014

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

#5

Decision Item

Cooperative Agreement with Iowa Department of Agriculture and Land Stewardship

Commission approval is requested for a Cooperative Agreement with the Iowa Department of Agriculture and Land Stewardship (IDALS).

Contract Terms

Amount: \$160,000.00

Dates: February 3, 2014 through November 30, 2014

Funding Source(s): Lake Restoration Program

Contract Purpose: The DNR and IDALS recognize the Iowa Great Lakes (IGL) as a significant public resource and both support efforts to maintain and improve lake water quality in the region. The IGL are major recreational lakes for Iowa residents and visitors from adjacent states. In 2009, public agencies and local groups developed the Iowa Great Lakes Management Plan which identifies water quality issues and impairments, and appropriate conservation strategies to reduce nutrient and sediment loading and improve water quality.

The DNR seeks to partner with the Department of Agriculture and Land Stewardship to implement conservation strategies, in cooperation with the local County Soil and Water Conservation District. To support the common efforts of watershed management practices, the DNR has identified funding support for the following projects:

	Project Description	Lake Restoration Program Funding	Local Match*	Total
Urban Practices	Improve storm water intakes for filtering storm water before it reaches the lake and improve lake shoreline to prevent further erosion.	\$30,200	\$37,500	\$67,700
	Construct a bio-cell as a water control structure to filter or settle sediment from running water before the water enters East Okoboji Lake.	\$8,085	\$9,379	\$17,464
	Construct two subdivision bio-cells that will capture and filter storm water runoff.	\$21,000	\$24,000	\$45,000
	Low Impact Development within the Center Lake watershed	\$60,000	\$24,000	\$84,000
Wetland Restoration	Implement a wetland and prairie restoration on the North Shore of West Okoboji that will reduce the amount of sediment reaching the lake.	\$20,000	\$24,000	\$44,000
Water and Sediment Control Basins	Construct 3 sediment control basins to manage sediment run off (6 have already been completed).	\$20,715	\$30,000	\$50,715
TOTALS		\$160,000	\$148,879	\$308,879

*Local match includes: City of Spirit Lake, Water Quality Commission, East Okoboji Lake Improvement Commission, DNR 319 Iowa Great Lakes Watershed Project, Okoboji Camp Owners Cooperative, Private funding, Methodist Camp, Keep Okoboji Blue, Dickinson SWCD and IDALS – Watershed Improvement Review Board

Selection Process Summary: Intergovernmental contracting with IDALS is authorized under 11 IAC 106.4

Joe Larscheid, Fisheries Bureau Chief
Conservation and Recreation Division
January 23, 2014

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

#6

Decision Item

Construction - Lake Icaria Riprap

The Department requests Commission approval of the following construction project:

Project Summary: In 2004 extensive in-lake improvement measures were completed at Lake Icaria, Adams County. These measures included shoreline armoring, fish habitat placement, and angler's access improvements. Shoreline armoring in 2004 included the stabilization of the prominent Icaria campground point. This current project is maintenance to restore the shoreline by replacing riprap that has washed away or crumbled due to weathering.

Construction Needed: The project proposal is to restore the shoreline below the Lake Icaria campground to 2004 construction conditions by placing 1,700 tons of rock along 2,200 feet of shoreline. The lake is two feet below crest due to 2013 drought conditions. This elevation makes it possible to complete the project this winter and avoid user conflicts during the summer recreation season. This project also includes restoring (grading, seeding and mulching) damaged heavy equipment access areas to pre-construction conditions. The stone used in 2004 was Class D riprap where as the stone in this project will be Class E riprap. Class E is a larger, harder stone than the Class D. The durability of Class D riprap stone in southwest Iowa has not been consistent and thus the DNR engineering department has moved to using a Class E stone in this district. The area to be addressed is a prominent point that is subject to wave activity from prevailing North and Northwest winds. Iowa limestone is a relatively soft rock that is subject to breaking apart from freeze thaw cycles. A 10 year life span for revetment stone on a site of this nature is not unexpected. We would expect the move to Class E rock to decrease the frequency of needed repair.

Green Features: Protection of lake shore from erosion and to sustain water quality.

Engineering Project #: 14-04-02-01

Project County: Adams

Engineering Project Manager: Mike Broderick, PE; Engineering Bureau

Designer: Mike Broderick, PE; Engineering Bureau

DNR Inspector: Mark Johnson, PE; Engineering Bureau

Cost Estimate: \$ 84,750

Operating Bureau: Fisheries

Funding Source: 100% MFT

Plans Issue Date: 11/26/13

Bid Letting Date: 12/19/13

Plan Holders: 11

Number of Bids Received: 11

Bidders:

TEK Builders, Inc.	Mount Ayr, IA	\$83,406.00
Carley Construction LLC	TREYNOR, IA	\$85,200.00
Lamb Tiling	Greenfield, IA	\$87,175.00

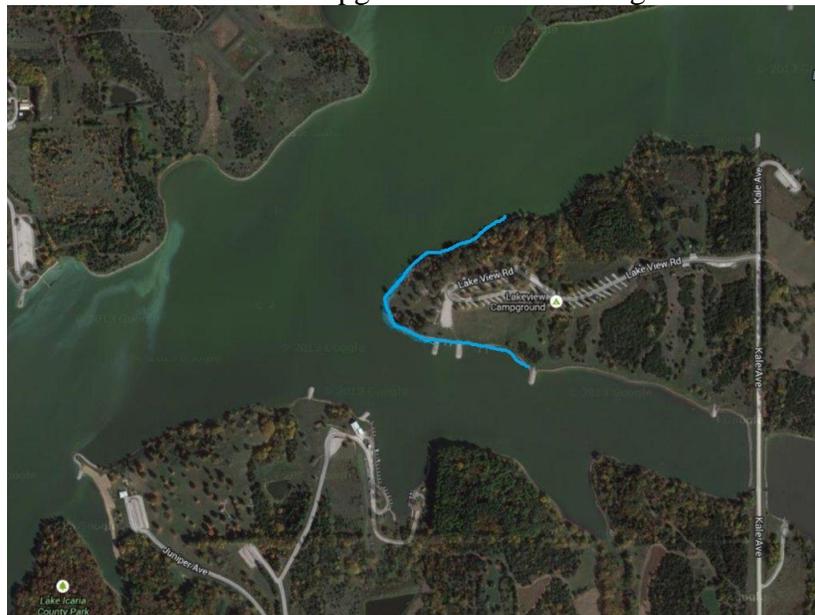
Jeff Sickels Dozing LLC
 Hill Contracting
 Torco Enterprises Inc.
 Richards Construction Co Inc
 K & L Construction Inc.
 K.M. King Inc.
 Tri-Smith Construction LLC
 Synergy Contracting LLC

Mount Ayr, IA	\$91,900.00
Leon, IA	\$98,605.00
Papillion, NE	\$102,300.00
Sac City, IA	\$103,200.00
Sgt Bluff, IA	\$109,356.00
Burlington, IA	\$114,515.00
Carrollton, MO	\$120,098.00
Bondurant, IA	\$174,000.00

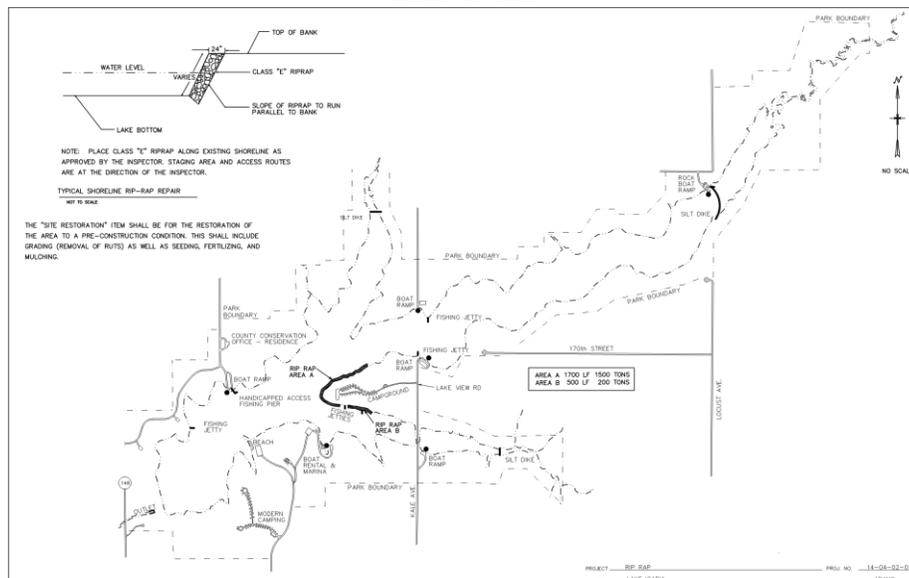
Upon Engineering's review of bids, IDNR recommends awarding the bid to TEK Builders.

Joe Larscheid, Chief, Fisheries Bureau
 Conservation and Recreation Division
 January 23, 2014

Lake Icaria campground shore armoring site



Lake Icaria



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

#7 (*indicates proposed consent)

Decision Item

Public Land Acquisition Projects

1. Preparation Canyon Unit – Loess Hills State Forest – Monona County – INHF

The Natural Resource Commission's approval is requested to purchase a conservation easement encumbering a tract of land located in Monona County a mile north of Preparation Canyon Unit of the Loess Hills State Forest, about six miles west of Moorhead.

Seller: Iowa Natural Heritage Foundation

Acreage: 74.66 acres

DNR Purchase Price: 44,800

Appraised Value: \$56,000

Appraised By: Brian Linnemeyer, Licensed Appraiser of Indianola, Iowa

Property Description: This property is located about six miles west of Moorhead in south central Monona County, along the West Range of the Loess Hills, specifically located between gravel-surfaced Oak Avenue on the east and L-14, also known as Larpenteur Memorial Road, a scenic byway through the Loess Hills on the west. The tract features a central, north/south Loess Hills "ridge" with steeply sloping side hills, scattered timber with an oak savanna on the west, and commanding views of the Missouri River Valley to the west. There are no improvements except for a well and there are five acres of land along the east side which is seeded for haying, which will be allowed under the easement restrictions; however, no commercial hunting, development, subdividing nor other agricultural uses will be allowed. There is a 40' x 40' access easement located on the southwest corner of the property which allows the former owner (Hanson) to access his remainder property adjacent south.

Purpose: It is the purpose of this easement to assure that the conservation property will be retained forever substantially undisturbed in its natural, scenic, and open space condition and to prevent any use of the property that will significantly impair or interfere with the conservation features or values of the property. The conservation easement will be annually monitored by DNR Wildlife Bureau along with a forest management plan submitted and managed by DNR Forestry Bureau.

DNR Property Manager: Wildlife & Forestry Bureaus

Funding Source(s): Federal Highway Administration, Transportation Enhancement (TE) grant

Incidental Costs: No surveying or fencing costs are anticipated. Incidental closing costs will be the responsibility of the Department.

2. Preparation Canyon Unit – Loess Hills State Forest – Monona County – INHF

The Natural Resource Commission's approval is requested to purchase a conservation easement encumbering a tract of land located in Monona County two miles north of Preparation Canyon Unit of the Loess Hills State Forest, about six miles northwest of Moorhead and five miles south of Turin.

Seller: Iowa Natural Heritage Foundation

Acreage: 150 acres

DNR Purchase Price: \$90,000

Appraised Value: \$112,500

Appraised By: Brian Linnemeyer, Licensed Appraiser of Indianola, Iowa

Property Description: This property is located about six miles northwest of Moorhead and five miles south of Turin, in south central Monona County, along the West Range of the Loess Hills, specifically located along the east side of gravel-surfaced L-14, also known as Larpenteur Memorial Road, a scenic byway through the Loess Hills, with secondary access from the north side of gravel-surfaced 286th Street. The tract features Loess Hills “ridges” with steeply sloping side hills, scattered timber, and commanding views of the Missouri River Valley to the west. There are no improvements; however there are two areas where agricultural uses will be permitted under the easement restrictions. One area - in the northwest corner within the bench area along the east side of L-14 - will allow haying only. The other area is actually made up of two main areas in both the northeast and southeast portions, where both haying and row-crop production will be allowed. Commercial hunting, building development, subdividing and additional agricultural uses will be prohibited. There is one dirt lane providing access from the north side of 286th Street to the eastern agricultural areas.

Purpose: It is the purpose of this easement to assure that the conservation property will be retained forever substantially undisturbed in its natural, scenic, and open space condition and to prevent any use of the property that will significantly impair or interfere with the conservation features or values of the property. The conservation easement will be annually monitored by DNR Wildlife Bureau along with a forest management plan submitted and managed by DNR Forestry Bureau.

DNR Property Manager: Wildlife & Forestry Bureaus

Funding Source(s): Federal Highway Administration, Transportation Enhancement (TE) grant

Incidental Costs: No surveying or fencing costs are anticipated. Incidental closing costs will be the responsibility of the Department.

3. West Okoboji WMA – Dickinson County – INHF

The Natural Resource Commission’s approval is requested to accept the donation of a conservation easement encumbering a tract of land located in Dickinson County as part of the West Okoboji wetland conservation project.

Donor: Iowa Natural Heritage Foundation

Acreage: 6 acre easement

Property Description: This property is located 1 mile north of Wahpeton and adjacent to Okoboji View Golf Course. In 2013, the DNR acquired a permanent conservation easement on the golf course property as part of the overall wetland conservation project..

Purpose: It is the purpose of this easement to facilitate the completion of the wetland restoration project on Okoboji View Golf Course. The wetland development will create a 3.8 acre wetland within the easement area. The remainder of the easement area will be managed as a grassland buffer around the wetland. Watershed modeling experts from the Iowa Geological Survey have performed an analysis of the current sediment and nutrient loads entering West Okoboji Lake through this sub-watershed, and they have provided estimates of load reductions resulting from watershed improvement project. Current pollutant loads entering the lake through the project area consist of 640 tons of sediment per year, 443 pounds of phosphorous per year, and 33,658 pounds of Nitrate-N per year. The wetland and grassland

restorations identified in this project will reduce the phosphorous load entering West Okoboji Lake to 44 pounds per year (a 90% reduction) as well as reducing the sediment load to 52 tons per year.

DNR Property Manager: Wildlife Bureau

Incidental Costs: No surveying or fencing costs are anticipated. Incidental closing costs will be the responsibility of the Department.

4. Buffalo Creek WMA – Delaware County – Zumbach

The Natural Resource Commission is requested to approve the acquisition of a tract of land located in Delaware County.

Seller: Doran and Wilhelmena Zumbach

Acreage: 40 acres

DNR Purchase Price: \$174,294

Appraised Value: \$174,294

Appraised By: Steve Badger of Steve Badger Real Estate Services, Marshalltown, Iowa

Property Description: The property is located approximately 4 miles west and 2 miles south of Ryan, Iowa with access from 110th Avenue on the eastern boundary. The subject property consists of 21.89 acres of cropland (20.1 acres are enrolled in the CRP); 16 acres of bottomland timber, and 2.13 acres of road right-of-way. The CRP contract has an annual payment of \$379.58 per acre with an expiration date of September 30, 2027. Sellers have reserved four annual payments of the CRP contract (through 2017) in exchange for management responsibilities of the CRP contract (seeding, mowing, plantings, etc.). The average CSR for the entire farm is 58.21. After development there will be 16 acres seeded to native prairie; 16 acres of timber; and 5 acres of marsh/wetland.

Purpose: The property has excellent management potential for deer, wild turkey, pheasant, non-game wildlife, and fur-bearing mammals. The tract is adjacent to state-owned land on the north and east, and will provide enhanced watershed protection for Buffalo Creek.

DNR Property Manager: Wildlife Bureau

Funding Source(s): 75% Federal Pittman-Robertson, 25% Wildlife Habitat Stamp

Incidental Costs: No fencing or surveying costs are anticipated. Incidental closing costs will be the responsibility of the Department.

***5. Big Creek State Park – Polk County – Knapp**

The Natural Resource Commission is requested to approve the acquisition of a permanent easement for the operation and maintenance of sewer facilities. The easement will be acquired without monetary consideration.

Seller: William C. Knapp, L.C.

Acreage: 1.3 acres

DNR Purchase Price: \$0

Property Description: This property is located adjacent east of Big Creek State Park in Tournament Club of Iowa Plat 1, included in and forming a part of the City of Polk City, Polk County, Iowa. The easement area will consist of twenty-feet on each side of and surrounding the sewer facilities in their installed location.

Purpose: The Grantor and the State have entered into a development agreement to jointly develop sewer facilities that would benefit both the Grantor and the State and which would ultimately connect to the City of Polk City's sewer infrastructure. Installation of the State's portion of the sewer facilities requires a portion of the State's construction to occur on the Grantor's property. The Grantor has conveyed a temporary easement for the construction of the facilities. The permanent easement is necessary for the purposes of accessing, using, repairing, and maintaining the facilities.

DNR Property Manager: State Parks Bureau

Incidental Costs: The DNR will be responsible document recording fees.

Travis Baker, Land & Waters Bureau Chief
Conservation and Recreation Division
January 23, 2014

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

#8

Decision Item

Construction - Odessa Wildlife Management Area Headquarters Building

The Department requests Commission approval of the following construction project:

Project Summary: To provide a new headquarters building for the Odessa Wildlife Management Unit. This building will serve as their main location to manage 10,000 acres of public wildlife land in 6 counties and is located near the town of Wapello in SE Iowa. This new facility will house four permit staff and several temporary staff. It will provide office space, plus a heated shop with 3 bays. Currently, the Unit Biologist is renting an office in town due to lack of office space. This new building will allow him to be stationed with the rest of the unit staff and save rental costs. It will provide much needed storage space for equipment, which currently sits outside due to lack of building space, and the large bays will allow equipment to be worked on inside a heated shop. The Wildlife Bureau has developed a standard building design that this project will be modeled after.

The current headquarters building was built in 1958. Due to its size, condition, and structural limitations, it is not suited for remodeling. Its small garage doors limit staff from working on any large equipment inside. Although limited in its use, there is utility value in the building and it will be used for general storage.

Construction Needed: This project will consist of a building 96' x 48' including 3 heated garage/storage bays, 4 offices, one conference room, one restroom and a mechanical room. It will also have an equipment yard to the west of the building which will be leveled and will have a new septic system. Cutting and filling of current location, utility runs to location, concrete foundation work, building erection and finish work.

Green Features: Standing Seam Metal Roof – Life expectancy 50+ years – fully recyclable, Structural Insulated Panels – Insulated resistance R-42, LED lighting (full cut-off) used on all evening security and way-finding lights, Steel siding, recyclable when use is finished, Pervious paving throughout equipment yard, Oil separator – automatically contains oil spills within premises, Photo sensors on garage bay lights – monitors and dims lights to appropriate levels, Co-Ray-Vac - radiant heating (garage) / heat pumps with forced air (office), Nylon Carpeting with recycled content / low-VOC, Stained Concrete Flooring, Energy efficient windows / local fabrication – Fiberglass, Ultra low-flow plumbing fixtures

Engineering Project #: 13-06-58-01

Project County: Louisa

DNR Project Manager: Ryan Richey, NCARB; Engineering Bureau

Designer: Ryan Richey, NCARB, Engineering Bureau

DNR Inspector: Bruce Flippin, PE; Engineering Bureau

Operating Bureau: Wildlife

Funding Source: 75% Federal Pittman-Robertson, 25% REAP LM
Engineering Cost Estimate: \$488,661.00

Plans Issue Date: 11/25/2013
Bid Letting Date: 12/19/2013
Plan Holders: 26
Number of Bids Received: 2

Bidders

Bi-State Contracting Inc.	West Burlington, IA	\$544,493.68
Hy-Brand Industrial Contractors	Muscatine, IA	\$580,078.65

Upon Engineering's review of bids, IDNR recommends awarding the bid to Bi-State Contracting.

Angi Bruce, Executive Officer, Wildlife Bureau
Conservation and Recreation Division
January 23, 2014

Current Headquarters



New Standard Building Design



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

#9

Decision Item

Construction – Coon Creek WMA Streambank Stabilization

The Department requests Commission approval of the following construction project:

Project Summary: This site has been a scenic destination for many visitors to come and enjoy the overlook of the Iowa River alongside the native white pines. The flood of 2008 greatly jeopardized this area. This project is to stabilize the 70” high bank that was severely damaged by the flood. After evaluation and consultation with DNR staff, river experts, DNR and NRCS engineers, the use of a bench construction design deemed most viable allowing better access and protection of the bank. The design involves using large boulders on the toe to form a 6’ bench, the bank will be shaped at a 2.5:1 slope and an erosion control mat will be used on top of class D rip rap to stabilize the slope. All areas will then be seeded accordingly.

Construction Needed: This project consists of construction of stream bank stabilization of approximately 45 feet high by 430 feet in length; including providing and placing revetment (riprap), excavation & grading, engineering fabric, erosion control mat, seeding, and other appurtenance.

Green Features: Stabilization of the slope to prevent future erosion and protection of the use of the area.

Engineering Project #: 12-03-96-03

Project County: Winneshiek

DNR Project Manager: Butch Doorenbos, PE; Engineering Bureau

Designer: Butch Doorenbos, PE; Engineering Bureau

DNR Inspector: Mel Pacovsky; Engineering Bureau

Operating Bureau: Wildlife

Funding Source: 90% FEMA, 10% F&W Trust

Engineering Cost Estimate: \$140,032.50

Plans Issue Date: 11/27/2013

Bid Letting Date: 12/19/2013

Plan Holders: 13

Number of Bids Received: 8

Bidders

H & H Construction & Development LLC	Sabula, IA	\$95,340.33
JB Holland Construction Inc.	Decorah, IA	\$105,336.55
Burr Oak Springs Limited	Ridgeway, IA	\$105,948.50
Riehm Construction Company	Waukon, IA	\$108,243.77

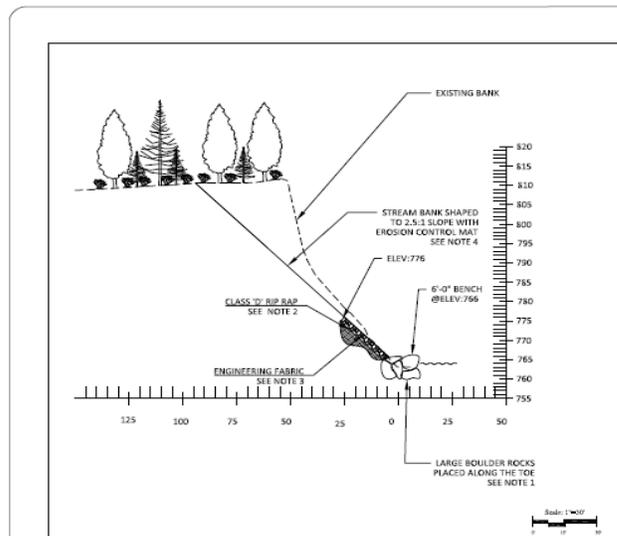
C J Moyna & Sons Inc
 Bacon Concrete LLC
 David Ryan Construction LLC
 Tri-Smith Construction LLC

Elkader, IA
 Postville, IA
 Decorah, IA
 Carrollton, MO

\$121,736.60
 \$122,613.75
 \$131,952.30
 \$280,690.00

Upon Engineering's review of bids, IDNR recommends awarding the bid to H & H Construction & Development.

Angi Bruce, Executive Officer, Wildlife Bureau
 Conservation and Recreation Division
 January 23, 2014



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

#10

Decision Item

Department of Transportation Parks and Institutional Roads Program Five Year Plan

Commission approval is requested for a five-year road construction plan that will receive funds from Iowa's Department of Transportation's Parks and Institutional Roads (P&I) program.

Plan Years: 2014-2018

Department of Transportation Five Year P&I Funds Plan Request: \$17,093,000

Background: In accordance with Iowa Code subsections 307A.2(11), the Commission (DOT) has a duty to construct, reconstruct, improve, and maintain certain roads within the boundaries of state-owned lands or community college property upon the request of the agency having jurisdiction. This policy establishes the responsibilities and procedures for planning and programming, engineering and construction, and maintenance of these roads.

The state agency that owns or is responsible for management or operation of the facility within which the P&I roadway is located, receives an annual allocation of P&I funds. The estimated annual allocation for the DNR is \$3,503,500. There is no cost share eligibility or requirement to receive P&I funds.

Agencies participating in the P&I program include the Department of Corrections, Department of Education, State Fair Board, Department of Human Services, Iowa National Guard, Department of Natural Resources, Board of Regents, and Department of Administrative Services.

Plan Purpose: The purpose of this plan is to provide the Department of Transportation (DOT) recommendations for future P&I project funding. These projects were chosen by DNR staff and supervisors as priority needs. Once the DOT receives and accepts the five-year plan, DOT engineers, DNR staff, and DNR engineers develop project-specific conceptual plans for those identified in the current calendar year. This conceptual plan receives review and concurrence by DOT and DNR staff as to the best possible solution with a scope of work and an estimated cost projection. Project-specific interagency agreements are then generated; DNR oversees the development of bid plans and specifications; and final review by DOT staff occurs prior to advertisement of each road construction project. The DNR initiates and follows through with the construction process. The DOT manages the funds. As projects are completed the costs are billed on a quarterly basis for DOT reimbursements.

Historically, the DNR has prepared a five year P&I plan for the DOT, however it was not a DOT requirement that the five year plan receive NRC approval. The inclusion of the P&I plan in the overall DNR capital budget met their need. This year, the DOT has asked the DNR to submit the five year plan for NRC approval which the DOT will, in turn, request DOT Commission approval.

A benefit in the P&I plan is that the DOT's process allows for reprioritization of projects, funding adjustments within the plan, or the addition of unexpected projects that fit within the DOT P&I funding allocated. The following is the five year plan for submission to the Iowa DOT to request Parks and Institutional Road funds.

2014-2018 PARK & INSTITUTIONAL ROAD PROJECTS - Calendar Year								
AGENCY				ESTIMATED PROJECT COSTS				
PROJECT LOCATION/		COUNTY	LENGTH	2014	2015	2016	2017	2018
PROJECT DESCRIPTION (includes 20% design, engineering, & inspection)			(mi)					
DEPARTMENT OF NATURAL RESOURCES								
Statewide Maintenance and Special Maintenance								
Various roadways				\$198,000	\$360,000	\$360,000	\$360,000	\$360,000
Backbone State Park		Buchanan		\$135,000				
Special Maintenance								
Springbrook State Park		Guthrie						
Reconstruct main road & RCB culvert			4.00	\$3,800,000				
Lake Manawa State Park		Pottawattamie						
Reconstruct roadway			3.90					\$2,340,000
Walnut Woods State Park		Polk						
Reconstruct main park road			1.00	\$600,000				
Lake Darling		Washington						
Cabin Road grade and rock					\$200,000			
Cabin road pave road and trail						\$550,000		
George Wyth State Park		Black Hawk						
Resurface roadway			4.10	\$1,230,000				
Backbone State Park		Delaware						
Reconstruct one-way park roadways			1.20	\$720,000				
Reconstruct park roadways			2.50			\$1,500,000		
Dolliver State Park		Webster						
Reconstruct main park road			2.30	\$1,380,000				
Big Creek State Park		Polk						
Reconstruct main roadway			5.50				\$3,000,000	
				\$4,733,000	\$3,890,000	\$2,410,000	\$3,360,000	\$2,700,000
								\$17,093,000

Angela Corio, State Park Planner, State Parks Bureau
 Conservation and Recreation Division
 January 23, 2014

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

#11

Decision Item

Engineering Professional Services Contract - Lake Keomah State Park Roadway Reconstruction and Resurfacing Project

Commission approval is requested for a professional services contract with French-Reneker Associates, Fairfield, Iowa.

Contract Terms

Amount: \$75,166

Funding Source(s): Parks and Institutional Roads Fund

Operating Bureau(s): Parks

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

Contract Purpose: Engineering has negotiated a scope of work for professional engineering services to design, bid, and provide limited construction administrative services for the following project:

- Lake Keomah State Park Roadway Reconstruction and Resurfacing Project # 13-05-62-01

The roads and parking lots in Lake Keomah State Park in Mahaska County are in need of repair and reconstruction. The entrance road through to Keomah Village will be a full Portland Cement Concrete (PCC) reconstruction; from the Y in the road to the beach house parking will be a PCC widening and whitetopping (the covering of an existing asphalt pavement with a layer of Portland cement concrete). The road to the campground will be milled with a Hot Mix Asphalt (HMA) overlay. The campground and parking lots will also be a HMA overlay.

The selected firm will prepare final designs, including drawings, specifications and cost estimates; prepare bid documents; obtain all needed permits, clearances, and will submit the joint application for sovereign lands, flood plains and Army Corps of Engineer permits; answer pre-bid questions; and provide limited project oversight during construction. The routine construction inspections will be the responsibility of Iowa DNR and will be coordinated with the consultant. The bid information, addenda, and drawings and specifications will be printed and distributed by Iowa DNR.

The DNR will provide the consultant with the topographical survey. The DNR will be responsible for any additional surveys required to develop the plans and specifications. The selected firm will be responsible to provide construction staking and other survey needs during construction.

Selection Process Summary: The Department solicited proposals from targeted small businesses and also published a Request for Proposal (RFP) on the Department of Natural Resources website.

Date proposals received: December 4, 2013

Review and Selection Committee: 4 members

- DNR Engineering (4)

Scoring Criteria: Proposals were scored based on the criteria as described in the RFP which included capability of the firm (to include their ability to complete the scope of work within the desired timeline and quality of applicable previous work experience), technical expertise, comprehensive work plan, proximity to the project, and cost.

Proposals Received: 3

Consultant	Capability (22)	Technical Expertise (22)	Work Plan (22)	Proximity (22)	Cost (12)	Total (100)	Cost
French-Reneker (Fairfield, Iowa)	17.25	17.75	18.75	20.00	9.75	83.50	\$75,166
Snyder (Ankeny, Iowa)	21.25	20.50	18.50	15.00	5.00	80.25	118,880
Shive-Hattery (West Des Moines, Iowa)	16.25	16.50	16.75	15.25	4.50	69.25	\$56,760

Gabe Lee, PE, Engineering Bureau Chief
 Conservation and Recreation Division
 January 23, 2014

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

#12

Information Item

Construction - Small 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
10/16/2013	10-06-92-16 Fisheries	Lake Darling State Park	Washington	Daily PCC testing for approximately 24,000 CY of pavement.	\$32,500	\$23,630.00
11/7/2013	13-03-17-04 Fisheries	Clear Lake Dredge Spoil Containment Site	Cerro Gordo	Lower approximately 6800 LF of existing dike toward the interior of the containment site, leveling tree removal piles in northerly section of site, and as per site DNR Engineer.	\$29,000	\$38,600.00 \$49,999.00
11/14/2013	14-05-59-01 Forestry	Stephens State Forest	Lucas	Placement of 584 SY of engineering fabric and 473 tons of class "D" riprap to protect a pedestrian/equestrian bridge.	\$24,983	\$26,920.45
11/21/2013	13-04-39-03 Parks	Springbrook State Park	Guthrie	This interpretive kiosk will assist park visitors with way-finding, interpretive analysis and explanation of park features. This new design is part of the new parks design guide which will fit with the new park image for Iowa.	\$15,000	\$20,600.00 \$21,083.00 \$23,956.00 \$24,238.00
11/21/2013	14-04-69-01 Fisheries	Viking Lake	Montgomery	Repair the existing shoreline riprap on the 6 fishing jetties using 800 ton of screened Class "E" riprap.	\$40,000	\$39,702.00 \$41,350.00 \$47,920.00 \$52,626.00 \$53,858.00

11/21/2013	14-04-15-02 Fisheries	Lake Anita	Cass	Repair 800 feet of the existing west shoreline of the lake with screened Class "E" riprap. Repair the shoreline on the end of the fishing jetty using 50 ton of screened Class "E" riprap.	\$42,300	\$41,139.00 \$42,600.00 \$45,548.00 \$53,622.00 \$58,275.00
12/5/2013	14-05-04-02 Parks	Honey Creek Resort	Appanoose	Repair the dock system including diving, electrical, concrete, welding and fabrication work.	\$85,000	\$48,720.00 \$86,300.00 \$91,000.00
12/12/2013	14-05-91-01 Fisheries	Summerset State Park	Warren	Construction of an angler access made of macadam stone, erosion stone, and rock chips.	\$34,492	\$33,403.75 \$35,085.45 \$43,325.80 \$45,684.45 \$47,380.75 \$79,702.50 \$32,403.75*

*Contractor was determined to be non-responsible

Gabe Lee, PE, Engineering Bureau Chief
Conservation and Recreation Division
January 23, 2014

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

#13

Decision Item

Donations

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

Donation to:	Amount	Description	Donation Provided by:
Princeton Shooting Range	\$60.00	Funds for upkeep of Princeton shooting range	Stephen Ebel
Princeton Shooting Range	\$60.00	Funds for upkeep of Princeton shooting range	Forrest Erickson
Fisheries Bureau	\$14,000.00	Construction of a accessible fishing path at Lake McBride	Dr. Jim and Carolyn Sheldon
Lacey-Keosauqua State Park	\$85.00	Labor to weld truck mud flap and pick up metal	David McQuoid, McQuoid Welding
Wildlife Bureau	\$500.00	Funds toward wildlife management	Chloris Robinson
Lake Macbride State Park	\$1,500.00	Improvements for North Shore Trail	Dick and Sunday Antrim
Bellevue Butterfly Garden Restoration Project	\$3,000	Funds toward limestone rocks, perennial plants, and weed killer for butterfly garden restoration	Howard & Joan Higley
Wildlife Bureau	\$232.65	Funds to purchase 6 foot dog eared cedar boards for use in a public "make and take" bird house building project	Becky Whitacker, Treasurer Iowa Chapter National Wild Turkey Federation

Chuck Corell, Administrator
Conservation and Recreation Division
January 23, 2014

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

#14

Decision Item

Rulemaking Petition: Restricting deer donated to HUSH to be taken with nontoxic ammunition or archery equipment

The Department, on behalf of the Commission, has received a rulemaking petition pursuant to Iowa Code chapter 17A and 571 Iowa Administrative Code Chapter 5. The petitioner, Lead IS Poison Coalition (LIP-C) is an Iowa “unincorporated” nonprofit organization under Iowa Code Chapter 501-B. The corporation’s address is: P.O. Box 914, Ankeny, IA 50021. The Petitioner is requesting that only deer that have been taken using archery equipment or with a firearm firing nontoxic ammunition be eligible to be donated to HUSH (the Help Us Stop Hunger program).

Pursuant to Iowa law, within sixty days after submission of a petition, the Commission either shall deny the petition in writing on the merits, stating its reasons for the denial, or initiate rulemaking proceedings in accordance with Iowa Code section 17A.4. A review “on the merits” requires fair consideration but does not require the Commission to take a stand on the substantive issues presented in the Petition. Practical considerations, including unresolved public debate on the issue, may form the basis for a denial of the Petition.

The Department recommends denying the petition for the following reasons:

- 1) Deer donated to the HUSH program are processed by lockers and are subject to the same regulations as if a private individual had their deer processed at the locker.
- 2) The Iowa Department of Health has found no evidence linking human consumption of venison to lead poisoning.

Dr. Dale Garner, Wildlife Bureau Chief
Conservation and Recreation Division
January 23, 2014

Attachment: Petition from Lead Is Poison Coalition

IOWA NATURAL RESOURCES COMMISSION
502 EAST 9TH STREET
DES MOINES, IA 50319-0034

IN RE: Lead Is Poison Coalition) IOWA NATURAL RESOURCES
COMMISSION

REQUEST FOR) PETITION FOR RULE MAKING

AMENDMENT OF RULE) Docket No. _____
)

1. Petitioner, Lead Is Poison Coalition (a.k.a. LIP-C) is an Iowa “unincorporated” nonprofit organization formed under the provisions of Iowa Code Chapter 501B, REVISED UNIFORM UNINCORPORATED NONPROFIT ASSOCIATION ACT. The corporation’s address is: P.O. Box 914, Ankeny, IA 50021-0914.
2. The Petitioner requests amendments to the Iowa Natural Resources Commission (NRC) administrative rules Chapter 116: HELP US STOP HUNGER PROGRAM ADMINISTRATION, rule 571 IAC 116.7(2) and 571 IAC 116.7(3).

Amend the following subrules as follows:

571—116.7(483A) Meat processors.

116.7(1) Eligibility. To participate in the HUSH program, each meat processor shall enter into a uniform annual agreement with the department which details the meat processor’s participation. The agreement shall be signed by the meat processor and the department by August 1 prior to the coming deer season. Exceptions to this date may be considered by the HUSH council, which will then make recommendations to the department.

116.7(2) Requirements. Meat processors shall accept the entire field-dressed carcass of a donated deer, pursuant to 571—116.3(483A), that has been taken by any bow or nontoxic/non-lead ammunition, and shall not assess any fees or costs to donors. Information from the donor is required for each donated deer and shall be submitted on forms provided by the department. Payment shall not be made to a meat processor without this information.

116.7(3) Venison. Meat processors shall accept a donated deer, pursuant to 571—116.3(483A), that has been taken by any bow or nontoxic/non-lead ammunition, and if the meat processor determines the venison is in acceptable condition. Deer shall be processed into pure ground venison with no additives, put into bags provided by the department, and frozen prior to being received by a representative of the Food Bank of Iowa or another designated distributor. Venison pickup shall be initiated by the meat processor by contacting the meat processor’s designated pickup person.

NEW SUBRULE: 116.7() Enforcement. A meat processor that has entered into an agreement to process venison for the HUSH program that accepts a donated carcass and processes it for the

HUSH program, knowing that the deer has been taken with toxic/lead ammunition, shall be prohibited from participating in the HUSH program in the future.

3. The Iowa Department of Natural Resources has published caution about the danger of consuming lead.

http://www.iowadnr.gov/portals/idnr/uploads/Hunting/hush/iowadnr_lead.pdf?amp;tabid=630 “Deer that are shot with bullets containing lead can have particles of lead remaining in the meat, some too small to be seen or felt. Lead fragments may be found in processed venison.” The next two sentences of this statement are arbitrary and *contradictory*: “Although lead can be harmful to humans, even in very low amounts, there is no known evidence that links human consumption of venison to lead poisoning. Children under 6 years and pregnant women are at the greatest risk from lead exposure.” If children and pregnant women are at a great risk from lead exposure there must exist some sort of evidence that explains this cautionary statement.

There is evidence. Lead is a naturally occurring metal found in the earth's crust. Lead can be found in many places, much because of human activity through burning fossil fuels, mining, and manufacturing. Water can be contaminated with lead from mines, waste dumps, and industrial plants. House paint and gasoline were once manufactured with lead. Fishing sinkers and jigs are often made from lead. Most firearms ammunition contains lead including pellets, shot, slugs, round balls, and bullets.

Lead has been removed from gasoline, house paint, ceramics, and solders because of human health concerns. Lead water pipes are no longer used in home construction.

Lead is a potentially deadly toxin that damages the nervous system and internal organs of the body. You must inhale lead dust, swallow lead particles, or absorb lead through your skin for lead to enter your body. Lead mimics calcium and travels in the blood stream to organs first and then is absorbed into bone, just like calcium. Lead is an accumulative poison. Some lead can stay in your bones many years and can enter your blood and organs again during pregnancy and as you age.

Lead never changes or breaks down. Because children are growing, they will store more lead in their bodies from an exposure episode than adults. Repetitive exposure to lead will result in higher levels of lead in blood and bone. These factors make lead poisoning especially concerning for very young children and women who are pregnant. Repetitive exposure can also come from work environments and hobbies that still use lead. Most importantly, lead poisoning is permanent and irreversible.

<http://www.who.int/ceh/publications/leadguidance.pdf>

<http://www.environment.ucla.edu/reportcard/article.asp?parentid=3772>

<http://www.cdc.gov/nceh/lead/tips.htm>

<http://www2.epa.gov/lead/learn-about-lead>

<http://www.atsdr.cdc.gov/toxfaqs/tf.asp?id=93&tid=22>

<http://ehp.niehs.nih.gov/1306945/>

Pain, Deborah J., et. al. *Potential Hazard to Human Health from Exposure to Fragments of Lead Bullets and Shot in the Tissues of Game Animals* PLoS ONE | www.plosone.org April 2010, Volume 5, Issue 4, e10315

Tranel, Molly A., and Kimmel, Richard O., *IMPACTS OF LEAD AMMUNITION ON WILDLIFE, THE ENVIRONMENT, AND HUMAN HEALTH – A LITERATURE REVIEW AND IMPLICATIONS FOR MINNESOTA*.

“Lead exposure can affect nearly every system in the body. Because lead exposure often occurs with no obvious symptoms, it frequently goes unrecognized.” *Centers for Disease Control and Prevention*. <http://www.cdc.gov/nceh/lead/> The CDC is so concerned about the ingestion of lead that in May of 2012 the CDC lowered the blood lead level in children from 10 to 5 micrograms. Most tests used to detect lead exposure in children are conducted prior to the school year start (August). By then, any lead-laden venison that has been consumed in the winter and early spring months has moved on from the blood stream and entered into the bones and internal organs where it is no longer detected by means of standard blood tests.

The Wisconsin Department of Health and Family Services has prepared and published a white paper on *THE POTENTIAL FOR INGESTION EXPOSURE TO LEAD FRAGMENTS IN VENISON IN WISCONSIN*. As part of a series of recommendations, the Department “recommends the use of non-lead ammunition as the simplest and most effective solution to lead poisoning, in both humans and wildlife, arising from the consumption of deer killed with lead ammunition. To address this issue, DHFS recommends the eventual transition to non-lead ammunition.”

<http://www.atsdr.cdc.gov/HAC/pha/LeadFragmentsinVenison/Venison%20and%20Lead%20HC%20110408.pdf> Iowa should be ahead of Wisconsin on this plan to eradicate poisons from the Iowa food supply. This rule provides a simple compromise that will benefit hunters, meat processors, and especially – pregnant women and children.

The effects of lead are not limited to children. The Iowa Department of Health “Adult Blood Lead Epidemiology and Surveillance Program (ABLES) collects all blood lead test results for Iowa adults 16 years of age or older as required by *Iowa Administrative Code* 641: Chapter 1.” <http://www.idph.state.ia.us/LPP/ABLES.aspx> According to ABLES statistics, Iowa still ranks higher than the national average for elevated blood levels

The Petitioner does not intend to have the Commission adopt this rule so that it would apply to hunters who do not donate deer to the help us stop hunger program (HUSH). This rule would apply only to those deer carcasses that have been donated in conjunction with Iowa Code section 483A.1

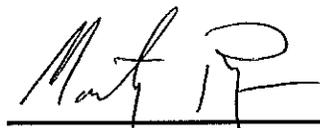
The Commission has the statutory authority to adopt and implement this rule according to Iowa Code Section 483A.8¹

¹ 483A.8 Deer hunting license and tag.

1. A resident hunting deer who is required to have a hunting license must have a resident hunting license in addition to the deer hunting license and must pay the wildlife habitat fee. In addition, a resident who purchases a deer hunting license shall pay a one dollar fee that shall be used and is appropriated for the purpose of deer herd population management, including assisting

4. Lead Is Poison Coalition (LIP-C) has a significant interest in the subject matter of this Petition for Rulemaking. Its mission is "to prevent lead poisoning in humans and wildlife."
5. For further information, please contact the following:

Marty Ryan
Fawkes-Lee & Ryan, Inc.
Public Policy Advocates
Legislative Advocates for Lead Is Poison Coalition (LIP-C)



11-26-13

MARTY RYAN

DATE

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Des Moines, IA 50310-5831
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www.iowappa.com

with the cost of processing deer donated to the help us stop hunger program administered by the commission.