

# IOWA DEPARTMENT OF NATURAL RESOURCES NATURAL RESOURCE COMMISSION

**Phone Conference Meeting Date:** Thursday, October 6, 2011  
**Meeting Location:** Wallace Bldg – 5th Floor Conference Room (5 East)  
502 E. 9<sup>th</sup> Street, Des Moines, IA

## MEETING AGENDA

Meeting convenes at 8:15 am

1.	Contract for Lake Manawa Water Level Management	Decision	Chuck Corell
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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**

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**ITEM**

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**DECISION**

**TOPIC      Lake Manawa Water Level Management**

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Commission approval is requested for a service contract with Western Oilfields Supply Co., d/b/a Rain for Rent. The contract will begin on October 7, 2011 and terminate on November 1, 2011. The total amount of this contract shall not exceed \$150,000.

This contract will be funded through the Lakes Restoration Program established under Iowa Code Section 456A.33B.

Historic flood events in the Missouri River basin this summer resulted in Governor Branstad declaring Pottawattamie County as a disaster emergency area; this proclamation is in place until October 28, 2011. The following conditions exist at Lake Manawa as a result of the floods: high waters have inundated critical public infrastructure (such as parking lots, docks, trails, shorelines and fishing jetties) as well as neighboring private property. The damage caused to these areas from high water levels is still unknown and cannot be assessed, repaired or prepped for winter (when there is a threat of further damage from ice) until the waters are lowered. These high waters are unlikely to recede naturally in sufficient time before winter to make all necessary assessments and repairs.

The parties propose to enter into this Contract for the purpose of retaining Rain for Rent to pump Lake Manawa down to conservation pool minus an additional 2 inches. Water will be pumped from Lake Manawa to Indian Creek, which in turns flows into the Missouri River.

The DNR intends to conduct draw-down pumping at Lake Manawa (Pottawattamie Co.) pursuant to emergency response authority found in DAS rules 11 Iowa Administrative Code 106.3 and 106.8. "Emergency" is defined by 11 I.A.C. 106.3 as including, but not limited to, "a condition...in which there is a need to protect public health, welfare, or safety of persons occupying or visiting a public improvement or property located adjacent to the public improvement..." On September 30, 2011 the DNR received written confirmation from the Governor's Office that the high water levels at Lake Manawa are currently threatening critical public and private infrastructure, justifying an emergency response.

Additionally, 11 I.A.C 106.8 authorizes emergency procurements for service contracts without competitive bid letting, although using some degree of completion is still encouraged. The DNR's Engineering Bureau has pre-qualified multiple firms to provide on-going engineering consulting services; under this retainer contract, the DNR consulted with Ehrhart, Griffin & Associates to provide recommendations and specifications for effective draw-down of Lake Manawa in an efficient manner as possible. This information was then used to define the scope of work and informally solicit cost estimates from contractors. Rain for Rent was chosen for this project based upon cost estimate, expertise, and availability.

Joe Larscheid, Chief, Fisheries Bureau  
Conservation and Recreation Division  
October 6, 2011