

Agenda

Environmental Protection Commission and Natural Resource Commission

Wednesday, July 13, 2011
DNR Air Quality Building
7900 Hickman Road
Windsor Heights, Iowa
10:00 AM

Wednesday, July 13th – Dinner 5-6 p.m. – Governor's Lounge – 929 3rd Street, Des Moines, IA – (515) 282-5251

8:00 – 9:30 a.m.	Role of a Commissioner (Optional Training) <ul style="list-style-type: none">• Role of a Commissioner• Administrative Rules Process• Conflict of Interest	Kelley Myers Ed Tormey Megan Tooker
10:00 – 10:15 a.m.	Introductions / Director Remarks	Director Lande
10:15 – 11:00 a.m.	2011 Legislative Summary 2012 Legislative Initiatives & Discussion	Diane Ford & Sharon Tahtinen
11:00 – 11:45 a.m.	Farming on State Owned Property	Travis Baker & Angi Bruce
11:45 a.m. – 12:30 p.m.	Lunch Break	
12:30 – 1:30 p.m.	Working with the Media	Kevin Baskins
1:30 – 1:45 p.m.	Content Management Website Review	Chris VanGorp
1:45 – 2:15 p.m.	DNR Strategic Plan and Lean Programs	Chris VanGorp
2:15 – 2:45 p.m.	Commission Schedule for 2012	Director Lande
2:45 – 2:50 p.m.	Water Supply: Water Use & Allocation Annual Permit Fee (Information)	Wayne Gieselman
2:50 – 3:00 p.m.	Summary of the day Follow up items	Director Lande

For details on commission and board schedules, visit www.iowadnr.com/epc/index.html.



STATE OF IOWA

TERRY E. BRANSTAD, GOVERNOR
KIM REYNOLDS, LT. GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
ROGER L. LANDE, DIRECTOR

MEMO

TO: Natural Resource and Environmental Protection Commissioners
FROM: Charles C. Corell, Administrator, Conservation and Recreation Division
DATE: July 13, 2011
SUBJECT: Lake Macbride IS America's Park

Lake Macbride State Park in Solon, Iowa has been awarded \$10,000 and named one of the nationwide contenders eligible to receive \$100,000 for enhancements through the *America is Your Park* Program (AIYP) sponsored by Coca-Cola. This program encourages people to visit their favorite local, state or national park this summer and vote for their park using various interactive tools for their park to win a grant to help restore or rebuild places for people of all ages to play and the title of "America's Favorite Park."

We need your help to alert your friends, neighbors and colleagues!

We know this voting thing has been done before and may seem daunting, but with very minimal promotions, **Lake Macbride is currently in 9th place with over 14,000 votes.** Iowans love their parks and let's put some action behind those words. **A vote for Lake Macbride is a vote for all Iowa Parks!**

1. First, we're hoping you can rally support for Lake Macbride State Park by logging on to <http://livepositively.com/#/americasparks/vote>, type in Lake Macbride in the Search for your park box and then cast your votes beginning today. You can **vote as many times as possible until September 6th**. You do not need to register your email address in order to vote. You can also share your votes via Facebook and Twitter to encourage your friends & colleagues to vote. 1 vote=1 point in the national competition.
2. Second, visit Lake McBride State Park yourself and encourage your friends and family to visit as well. If you "check in" on Facebook from the park and upload a photo or video of your outdoor experience you can earn up to **5 points** for Lake Macbride in the national competition.
3. Third, plan to join us for a very special fitness event and check presentation at the park Wednesday **August 3rd featuring Governor Terry Branstad** and a host of other dignitaries. The activities will run from 9:30 a.m. – 1 p.m. and will include fitness activities, educational displays and refreshments. Coca-Cola will present a check for \$10,000 to Lake Macbride State Park in a ceremony beginning at 10 a.m. Everyone is welcome to attend.

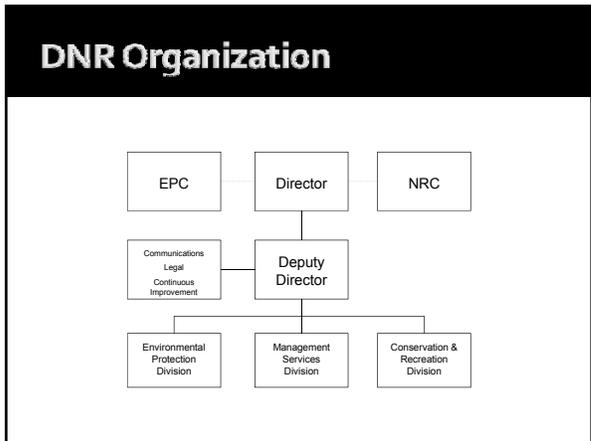
Goal: 3 Million Votes!! We know that you and every other Iowan appreciates having beautiful parks to play in and so we're asking all Iowans to show their support by voting, often. Lake Macbride will serve as a pilot for ensuring healthy vending choices in Iowa state parks. So your vote also shows your support for increasing access to healthy beverages and snacks.

Please let Tammie Krausman at (515) 402-8763 or tammie.krausman@dnr.iowa.gov know if you have questions about this program, or if you want to be involved in the fitness day on August 3rd. Thank you for supporting Lake Macbride State Park and America is Your Park!

For information on the program please visit: www.livepositively.com (and don't forget to vote!).

Commission Overview

Commissioner Training
Kelley Myers, LSB



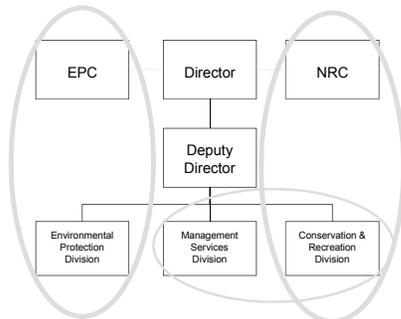
- ## Topics
- Authority and Obligations of EPC and NRC
 - Meetings
 - Open Records
 - Duties
 - Policy
 - Contracts
 - Budget
 - Adjudication
 - Rule making

- ## The EPC Shall...
- Iowa Code section 455A.6 (in brief)
 - Establish policy and adopt rules for the Environmental Services Division programs of the Department
 - Hear appeals in contested cases.
 - Approve or disapprove the issuance of hazardous waste disposal site licenses.
 - Approve budget requests.

- ## The NRC Shall...
- Iowa Code section 455A.5 (in brief)
 - Establish policy and adopt rules for Conservation & Recreation programs of the Department
 - Hear appeals in contested cases.
 - Approve or disapprove land acquisitions and disposals.
 - Approve budget requests.
 - Adopt a schedule of fees for permits.
 - Approve or disapprove lake dredging or renovation proposals; acquisition, development and maintenance of boating facilities and facilities associated with recreational boating.

- ## The Director Shall...
- Iowa Code section 455A.4 (in brief)
 - "Plan, direct, coordinate and execute the functions" of the DNR.
 - Supervise and coordinate the functions of the DNR through administrators.
 - Compile a comprehensive budget annually.
 - Submit any required reports to the Governor.
 - Employ personnel.
 - Work full time as the director, maintaining an office in Des Moines, and not be a candidate for or hold any public office or serve on any other public committees.
 - Adopt rules related to the organization of the DNR.
 - Cooperate with IDALS in securing federal funds for water quality and watershed improvements.

DNR Organization



More on EPC Authority

- Iowa Code section 455A.6
 - An Environmental Protection Commission is created.
 - Nine members.
 - Staggered four-year terms.
 - Composition (other than training, experience and capacity):
 - Three members actively engaged in livestock and grain farming.
 - A member actively engaged in the business of finance or commerce.
 - A member actively engaged in the management of a manufacturing company.
 - Four members who are electors of the state.
- 561 Iowa Administrative Code
 - Rules adopted by EPC.
 - Govern EPC procedure, including issuance of environmental permits, distribution of grant funds, and identification of various environmental quality standards, to name a few.

More on NRC Authority

- Iowa Code section 455A.5
 - A Natural Resources Commission is created.
 - Seven members.
 - Staggered six-year terms.
 - Other requirements in code and rules.
- 571 Iowa Administrative Code
 - Rules adopted by NRC.
 - Govern NRC procedure, including issuance of hunting and fishing licenses, distribution of grant funds, and description of threatened and endangered species, to name a few.

General Statutes

- Iowa Code chapter 7E
 - Describes executive boards and agencies – limits reimbursement to commission members.
- Iowa Code chapter 69
 - Provides procedures for vacancies and removal.
 - Governs political, gender and minority balance.

Ethics and Lobbying

- Iowa Code chapter 68B
 - Restricts public officials from receiving gifts or undertaking activities that could result in conflicts of interest.
 - Requires registration of lobbyists.
 - Limits employment after service.
 - Limits on gifts.
 - Appearance of impropriety is impermissible.
 - Personal Liability attached.
 - Penalties:
 - Cease and desist orders.
 - Written reprimands.
 - Civil fines of up to \$2,000 per violation.
 - Criminal penalties.
 - Removal.

Elections

- Set by rules.
- Officers
 - Chairperson – preside over the meeting.
 - Vice Chairperson – preside when Chair is absent or as directed by Chair.
 - Secretary – recommend approval and revisions to minutes; act as parliamentarian.
- One-year terms
 - By rule, elections are held at the May meeting.

Meetings

- Public Meetings.
 - Governed by Iowa Code chapter 21.
 - Quorum plus discussion of business.
 - Agenda must be posted at least 24 hours prior to the meeting.
 - Typically monthly.
- Agenda
 - Set by Chairperson, Director, or vote of Commission.

Meetings

- Quorum
 - By rule, two-thirds of the members.
 - EPC: 6
 - NRC: 5
- Voting
 - Quorum to close a meeting.
 - Majority for all other matters.
 - Must be done in open session.
 - Voice vote required; sometimes a roll-call.
- Decorum
 - Robert's Rules of Order, 10th Edition.
 - Role of the Chair = maintain order.
 - Public participation may be limited by Chair.

Meeting Minutes

- Approved by Commission at next meeting.
- Signed by the Director and maintained according to appropriate record retention schedule.
- Minutes must include: date, time and place; members present; action taken; votes of members.
- Practice has included capturing audio recordings and making those, in addition to expanded minutes, available to the public.

Open Records

- What constitutes a record?
 - Very broad definition:
 - Iowa Code section 22.1: "all records, documents, tape or other information, stored or preserved in any medium, of or belonging to the state..."
 - Iowa Code section 305.2: "a document, book, paper, electronic record, photograph, sound recording, or other material, regardless of physical form or characteristics, made, produced, executed, or received pursuant to law in connection with the transaction of official business of state government."
 - Correspondence received from constituents and responses.
 - Emails, even from private email addresses or from personal computers.
- Record Retention

Open Records

- Citizens may request documents, which the government must make available.
- Violation:
 - Knowingly violating or attempting to knowingly violate.
 - Simple misdemeanor.
 - Personal Liability.
- To avoid problems:
 - Use state's email system for commission-related business.
 - If you have questions about whether to keep a document, consult Legal or the Records Center.

Other Duties of the EPC & NRC

Policy

- "Establish policy... necessary to provide for the effective administration" of the various chapters under the purview of the respective commission.

From Iowa Code sections 455A.5 and 455A.6.

- Manifests in various forms.
 - Legislative proposals.
 - Letters.
 - Program initiatives.
 - Budget decisions.
- Different from rulemaking.

Contracts - EPC

- EPC rules govern when approval is required.
- Non construction contracts in ESD:
 - Contracts over \$25,000.
 - Amendments of more than \$25,000, or additional 10%, whichever is greater.
- Some grants from DNR.

Contracts - NRC

- NRC rules govern when approval is required.
- Non construction contracts in CRD and MSD:
 - Contracts over \$25,000.
 - Amendments of more than \$25,000, or additional 10%, whichever is greater.
- Construction.
 - Pre-approval of contracts over \$50,000.
 - Information of contracts awarded under \$50,000 at meeting following award.
- Some grants from DNR.

Realty - NRC

- Land acquisition and disposal.
 - Limitations:
 - Purchase: related to various programs.
 - Disposal: NRC finding of no conservation value; some exchanges.
- Boundary settlements.
- Easements and leases.
- Management agreements.

Budget Approval

- Fiscal Year: July 1 through June 30 of the following calendar year.
- DNR budget is due to Iowa Department of Management October 1 prior to the beginning of the fiscal year.
- Approval for commission-related budget items generally sought in July or August prior to the beginning of the fiscal year.
- Director is responsible for executing the budget.

Adjudication

- Hear and rule on contested cases.
- Governed by IAPA and either 571 IAC chapter 7 or 567 IAC chapter 7, either of which incorporates by reference 561 IAC chapter 7.
- Appeals to license revocations, administrative orders, etc.
- Affords due process.

Referral

- Some enforcement cases are referred to the Attorney General's Office for action:
 - More than \$10,000 in penalties.
 - Repetitive Violator
 - Need for injunctive relief
- Attorney General does have independent authority to commence civil or criminal proceedings.

Administrative Rules

A Brief Overview

Agency Powers

- An agency is a "creature" of the legislature.
- An agency has no inherent authority.
- Only that authority expressly given or reasonably implied by statute.

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Iowa Code 17A - IAPA

- Enacted in 1974, amended in 1998.
- IAPA provides consistent administrative law requirements.
- Applies to all state agencies.
- Unless otherwise expressly stated, 17A takes precedence over any conflicting statutes.

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Definition of "Rule"

- "each agency statement of general applicability that implements, interprets, or prescribes law or policy, or that describes the organization, procedure, or practice requirements of any agency."
- A rule must be generally applicable.

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Process Overview

- Internal rule drafting
- Informal Rulemaking
- EO71 and Governor's Pre-Clearance
- Commission approval of Notice of Intended Action
- File Notice of Intended Action
- Hearing and public comment
- Commission approval of Adopted and Filed
- File Adopted and Filed
- Adoption – rule becomes effective
- These steps are subject to change for Emergency Rulemaking activities.

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Process

- Drafting
 - Staff are responsible to draft rules and seek internal review.
- Informal Rulemaking
 - Seek input from stakeholders, interested members of the public, affected parties prior to submitting to the Governor's Office or Commissions for approval.
 - Requirement due to EO71.

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Process

- Governor's Preclearance of NOIA
 - The request for approval must contain:
 - Statutory Authority for and purpose of the rule
 - Copy of the rule.
- EO71
 - Compliance with EO71 requires the following actions to be taken:
 - Cost/Benefit Analysis performed.
 - Jobs Impact Statement prepared.
 - Comments and feedback on the Jobs Impact Statement from the public prior to rulemaking (informal rulemaking)

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Process

- Commission Approval of NOIA
 - Preamble and body of the rule, as will be filed, must be approved by the body with rulemaking authority.
 - If the Commission makes changes, those changes must be approved by the Governor's Office.
- Filing NOIA with Administrative Code Editor
 - The following documents must be filed with the Administrative Code Editor to start the formal rulemaking process under 17A:
 - Preamble
 - Rule
 - Fiscal Impact Statement
 - Jobs Impact Statement

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Fiscal Impact Statement

- Always required, even if no fiscal impact.
- Additional information is required in NOIA if rule requires annual expenditures of \$100,000 or more (or \$500,000 within 5 years) by all affected persons, including DNR itself.
- Certain ESD rules also need to be accompanied by a financial impact statement (i.e., rules more stringent than federal counterpart).

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Process

- Hearing and Public Comment
 - Interested parties have 20 days from the date of publication to submit written comments on the proposed rules.
 - The Administrative Rules Review Committee (ARRC) of the legislature may review the proposed rules.
 - Hearings are not required unless requested by appropriate persons or groups. Encouraged for controversial rules or rules with broad application.
 - DNR shall consider all comments received.

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Process

- Commission Approval and Filing of Final and Adopted rule
 - Preamble and body of the rule, as will be filed, must be approved by the body with rulemaking authority.
 - Report any comments received, whether they were incorporated and why or why not.
 - Report any changes to the NOIA.
 - Not required if Director's rule.

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Process

- Adoption and Effective Date
 - 35 days from publication in the Administrative Bulletin, the final rule becomes effective.
- ARRC may review the proposed final rules and take action to delay, stop or modify enforceability of the rule.
- Once effective, the DNR may enforce the rule as adopted.

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Time Line

- Time period for adoption
 - The minimum time to adopt a rule is 108 days (not including Emergency rules).
 - The maximum time is usually 199 days from publication of NOIA.
- These times do not include the informal rulemaking process prior to initiation of formal rulemaking.

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ARRC

- Content: 5 senators and 5 representatives.
- Meetings:
 - 2nd Tuesday of Each month.
- Agencies are asked to present rules, both NOIA and Final and Adopted, at the discretion of ARRC.
- Interested persons may attend and comment.

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ARRC

- ARRC may take the following actions:
 - Nothing, the rules become final.
 - Delay for 70 days to "study and examine" the rule.
 - Delay the effective date of a rule until the adjournment of the next regular session of the general assembly.
 - Object to the rule, which shifts the burden to the DNR, if challenged, that the rule is legal. The rule still becomes effective. The Attorney General or the Governor may also place an objection on a rule.

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Emergency Rules

- Allows for rules to be adopted:
 - Without notice and comment (effective upon filing or publication)
 - Immediately after notice and comment (effective upon filing after notice).
- DNR must establish "good cause," and that public participation is "unnecessary, impractical or contrary to public interest."
- This must be used limitedly and in true emergency conditions.
- Burden of proof shifts to DNR.
- May "double-barrel," which is to use the emergency procedure and, at the same time, move the rules through the regular Notice of Intended Action to obtain input on the rules. This is preferred if emergency rules are needed.

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Regulation by Rule vs. Policy

- Regulating by policy is not legal unless:
 - The policy is exempted by statute from being a rule.
 - The policy is not of general applicability, e.g., fact specific variables exist so the policy is intended to only be applied on a "case by case" basis.
 - The policy would be a rule but is not reasonable or practicable to make it one.

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Other Forms of Rulemaking

- Contested Cases:
 - Prior to 1998, court cases interpreted the IAPA to allow agencies broad discretion to adopt policy by rulemaking or through contested case procedure.
 - 1998 IAPA amendments established a preference for development of policy by rulemaking and created a standard to limit agency discretion to not do rulemaking.
- Caselaw
 - Court cases help us judge under what conditions policy may be valid and enforceable without rulemaking or prior to rulemaking.

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Advantages of 17A Rulemaking

- Public participation
- Legislative accessibility and oversight
- Fairness
- Efficiency
- Checks and balances
- Full force and effect of the law.
 - Rule is enforceable just like a statute.

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Waiver and Variances

- IAPA allows persons to petition for rule waivers and variances and establishes standards for them.
- NRC has adopted procedures and standards for consideration of rule variances. See 561 IAC 10.
- Must satisfy 17A and specific program rule requirements.
- Exceptions stated in the rules should be considered before considering a waiver or variance.

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Waiver and Variance Standard

- The petitioner must demonstrate or agree to the following:
 - The application of the rule would result in an "undue hardship."
 - Variance will not "substantially prejudice" rights of other persons.
 - The variance or waiver will be "equally protective."
 - The variance or waiver shall allow for the narrowest "exception possible."
 - The waiver or variance must be temporary unless "impractical."

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Questions?

Ed Tormey, 515-281-8973
 Tamara Mullen, 515-281-8934
 Kelley Myers, 515-281-5634

DNR Ag Leases Crop Year 2010

- 529 Total Leases
- 46,762 Total Acres
 - 45% of total is in row crop
 - 55% of total is in forage cover (idle)
 - DNR owns 355,000 acres
 - DNR manages 500,000 acres
- \$1.96 Million Received from Leases

Wildlife Bureau

- 456 Leases
 - 295 (DNR Land)
 - 104 (USACE Land)
 - 57 (USFWS Land)
- 40,469 Acres
 - 23,721 (DNR Land)
 - 12,098 (USACE Land)
 - 4,650 (USFWS Land)
- \$1,460,000 Income

Forestry Bureau

- 57 Leases
- 3,136 Acres
- Approximately \$244,000 Income

Parks Bureau

- 16 Leases
- 3,157 Acres
- Approximately \$263,000 Income

Private Farm Manager Program

- Currently 5 Contracts with Private Managers
 - Sunderman Farm Management – Brushy Creek
 - Agriland Farm Management – NW Iowa
 - Agri-Valley Farm Management – Loess Hills
 - Hertz Farm Management – NE Iowa
 - Mid-States Farm Management – Stephens State Forrest

Private Farm Manager Program

- Managers are competitively selected
- Management fee range \$6.00-\$10.00 per acre
- 151 Leases (28.5%)
 - 10,165 acres (21.7%)

Lease Procedures

- Tenants competitively selected on leases over \$5,000
- Leases negotiated if under \$5,000
- Typical lease term is 3 years

Special Lease Stipulations

- Percentage of crop is to be left unharvested for food plots. Typically 10-20%
- Operator must comply with conservation plans or programs including those subject to the jurisdiction of USDA.
- Insecticides must be approved by DNR prior to use.
- Manure application is prohibited unless special permission is given by DNR

Special Lease Stipulations

- The Operator is responsible for controlling all noxious weeds
- Fall tillage is not permitted without DNR approval
- Grazing is prohibited except for areas designated by DNR
- Corn may not be harvested for silage nor may it be harvested with any machine which chops cornstalks and the Operator agrees not to burn or remove any stalks or stubble from land without DNR approval

Special Lease Stipulations

- Hay cutting is restricted to certain times determined by the DNR
- Land covered by the lease remains open for public use, including hunting and fishing
- Additional stipulations may be required by an addendum to the lease.

Using Agriculture Leases for Wildlife Habitat Management

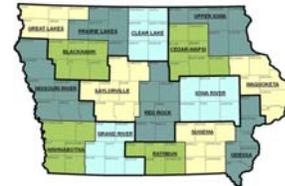


Angi Bruce
 Scott Peterson
 Bill Ohde
 Jason Steele, NRCS

Wildlife Bureau Public Lands Management

Manage 510 areas totaling 358,000 acres

- 41 management technicians (8732 acres/technician)



Why Ag Leases?

Ag leases are a cost effective way to help us meet management objectives, invest in local economy and improve relations with the public.

We only enter into ag leases that have a benefit to wildlife. Our main objective is not to maximize production or bring in additional revenue.

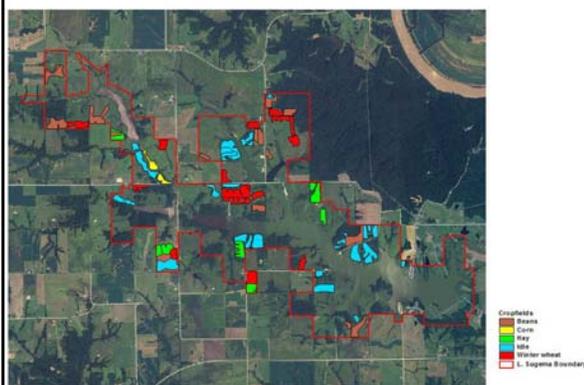
Agriculture Leases as a Management Tool

Objective 1. Habitat for Wildlife

- Food
- Winter cover
- Structural diversity



Sugema WMA Cropfields



Agriculture Leases as a Management Tool

Objective 2. Provide top-notch wildlife habitat for enhanced hunting opportunities



Agriculture Leases as a Management Tool

Objective 3. Floodplain Management

- Set back succession
- Keep areas open for fall wetland recreation and
- Provide a food source to hold waterfowl



Agriculture Leases as a Management Tool

Objective 4. Depredation Issue and neighbor relations

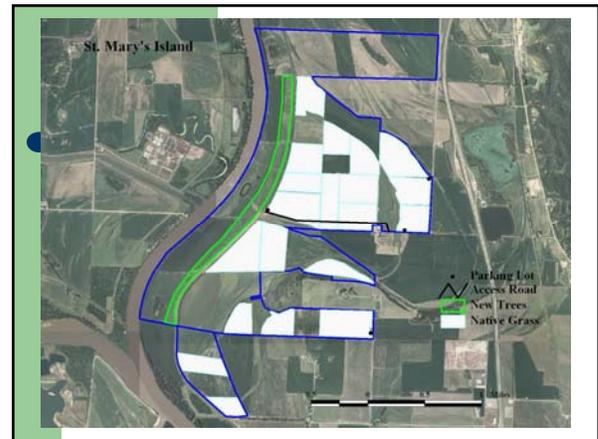
- Less depredation on neighboring lands, use our food plots to minimize their damage
- Local farmers like to see some crop on our lands



Agriculture Leases as a Management Tool

Objective 5. Seed Bed Preparation

- Soybean stubble provides the best seed bed for the establishment of prairie
- Setting back succession



Agriculture Leases on COE Flood Control Reservoirs

Wildlife is a secondary objective for these areas, there is no funding for management from the COE.

Condition 5 account was created

- 5 positions funded
- Maintenance of all facilities
- Additional restoration efforts
- Provide NAWCA match

How it is done.

The ag leases have specific requirements but are flexible enough to allow the local biologist to make decisions based on the specific property and their habitat objectives.

- topography, field size, soil type availability of interested tenants, runoff

How it is done.

We strive to be good stewards of the land, taking into account all natural resources and setting a good example for other landowners.

We are still in control of the property and often add additional limitations beyond the standard ag lease.

These agreements make use of local farmer abilities and equipment, and free up our staff to spend more time on the specialized habitat management we do on prairies, woodland and wetlands.

How it is done.



Follow a NRCS Conservation Plan

Chemicals Usage

- Current lease document restricts usage
- Will not interfere with planned crop rotation
- All insecticides have to be preapproved

Manure Application

- Prohibited unless prior approval in writing

Tillage

- No fall tillage is being done
- Crop rotation, row crop is often done in combination with crop rotation with small grain, forage or left idle
 - This provides additional benefits; less fertilizer needed

How it is done.

Hay ground, alfalfa, wheat, etc.

- Cuttings restricted to July 1st – August 15th.
- Need to be cut to stay productive



Grazing

We only graze for a defined purpose

- Vegetation structural diversity
- Vegetation species diversity

Set restrictions based on the objective

- Time period of grazing
- How many animals
- Observation and oversight is needed



Future Plans for Ag Leases on Wildlife Lands

We are currently undergoing a bureau wide strategic planning process to evaluate all we do. This process will include an evaluation of ag leased land.

Items to consider:

- Should we require nutrient management?
- Are we currently farming any critical areas? (ex. Boone Forks)
- Objectives for crop being clearly defined in management plan.

Media Relations



About the DNR Communications Bureau

- Weekly news packets sent to statewide media – EcoNewsWire and Iowa Outdoors
- Brochures, newsletters, Iowa Outdoors Magazine, displays and other marketing materials
- www.iowadnr.gov
- Photography and video
- Education/Springbrook

Iowa Outdoors Magazine

- 89% have tried something based on an article
- 58% have visited an outdoor destination
- 40% have visited a website
- Nearly half are motivated to participate in an outdoor pursuit
- 38% traveled to a new part of the state
- 87% say the magazine is an important source of information

Impressed audience—Nearly half of readers said our quality was about the same as *National Geographic*, *Field&Stream*, *Outside* and *Midwest Living* among other magazines... **45% said Iowa Outdoors was of better quality.**

DNR Springbrook Conservation Education Center Evaluation Form

We are very interested in your reactions to the field experience that your group just participated in. Please take a few moments to evaluate your experience to help us improve future visits.

Date(s) - May 16-17 Name/Title of your group - Clidden-Ralston

What are your expectations as a teacher/administrator for your students during your Springbrook experience and are they being met?

Yes, I think our goals were met. They are that students get to experience nature while learning in a team-cooperative atmosphere. Not in my areas.

Did you select activities that correlate with the standards and benchmarks of your curriculum?

Yes, working with measurement in math. (Streamflow)

Do you evaluate the field experience in the classroom? If so, how and what are the results?

Yes. Students are graded on our stream flow results.

They also do a 3 favorite 13 least favorite activities sheet.

What is the biggest change after Springbrook that you see in your students as a result of your experience?

They talked very highly of the experience and were anxious to tell others about it.

How would you evaluate the DNR presenters? (knowledge, enthusiasm, methods)

Great.

Video

450

Why so many?

- We are a big agency with a lot of news, lot of public interest
- We want the news to come from us
- It helps establish credibility
- It reduces miscommunication, think of it as a receipt
- Sheriff Payne
- The press releases that often hurt us the most are the ones we DON'T put out

Media Coverage can be important in helping protect the public

Quote: From 2/27/02 Memo to Conservation Officers from Rod Slings

"Whenever someone is injured or killed while recreating it becomes news worthy. Many times a brief coverage by the media is priceless in the prevention of further incidents. An example would be an angler falling through thin ice."

DNR MEDIA RELATIONS POLICY

You will cooperate with and provide factual information to media inquiries for information **as long as you are the best source of information on the subject of the inquiry.** If you do not consider yourself the best source for the response, you are to assist in finding the best source.

You are to respond in a timely manner. If this is not possible, you should seek assistance to meet the news media deadline, or inform the inquirer about the inability to respond promptly.

You are to treat news media representatives with the same respect and courtesy accorded all persons.

5 JUN 27 2011 Evening News
 6:00PM CT
 Nielsen Audience: 61,831 Calculated Ad Equivalency: \$1,483
 RWL/MBC CEDAR RAPIDS-WATERLOO, IOWA MARKET RANK: 88 Run Time: 3:29 Calculated Publicity Value: \$1,648
 30-Second Ad Equivalency: \$500

11:06:11 PM "I" She offers a someone started after being convicted of robbing a new Hampton convenience store in 2001. After getting money, he then abducted one of the workers and sexually assaulted her. Continuing coverage now more than 100 thousand FBI are dead, according to the FBI. DNR, after business coverage on a Dubuque county farm, overflowed into waterway creek. The DNR says someone reported the dead FBI on June 18th, and officials traced the kill back to a hog and cattle operation, south of highway 20 between ponds and barns. Officials say they found dead FBI along nearly 18 miles of the creek. News channel says Dubuque reporterbecca hubbiger says us live in the tributes newsmoon's Dubuque, Iowa. The DNR estimates the value of those FBI to be more than 100 thousand dollars. That's right DNR officials say. The kill impacted 21 species of FBI. Marine is high in ammonia, which is what poisons the FBI. It gets in the area. Officials say while the creature is close by, especially that this was a preventable accident. From this bridge over troubled waters, no FBI are in sight. In searching for the source of the water contamination, the DNR left no stone unturned. We checked last bit, and we checked other farming places. We're checking all the different sources of contamination. "Halls out in the off-peak situation, loaded at the fall of dead FBI." The DNR says it has identified the source of the FBI. FBI fell back to this open lot hog and cattle operation, owned by Dubuque county supervisor Wayne detmer. Detmer says, his new age reception pit on detmer's open lot system overflowed due to heavy rain. "Realized I was getting full, but thought he had some sense and ultimately made an error there. Heights was contacted detmer says they have not had feelings based on detmer, but they did find dead FBI on that property, and one man says his cattle drink from that creek, and several of them got sick, though the DNR denies these kind of cases overwatering. Officials say the system if eventually completely flushed due to rain and flow but the FBI is take longer to repopulate as some of those found dead were several years old. The DNR reminds farmers to check their sewage systems regularly, and it doesn't take any much effort to have a devastating impact on the FBI population. DNR officials say they're not sure when the final report will be complete, but when it's, it's the placed up to those who decide what report and to the. Detmer could't take any responsibility for the estimated value of the FBI as well as other costs associated with the investigation. Live in the 11 states newsmoon in Dubuque, Iowa, because news in NewsChannel seven. That's because. The DNR says 104 thousand FBI are a fairly significant kill, though it doesn't come close to the state's target. That happened in 2001, when an anthrax ammonia pipe broke. Many of combined miles of stream and river, and killing an estimated one-porn-three million FBI. Coming up on two news channel, dangerous driving.

1 JUN 27 2011 6:00PM News at 6
 CT
 Nielsen Audience: 6,956 Calculated Ad Equivalency: \$152
 WJABC DES MOINES-AMES, IA, MARKET RANK: 73 Run Time: 0:36 Calculated Publicity Value: \$375
 30-Second Ad Equivalency: \$125

11:06:12 PM "I" She replaces Brad Miller's home last day is tomorrow. He took a job as CEO of a transit authority in St. Petersburg, Florida. Reached FBI last tops the 100 thousand marks in eastern Iowa as we take a look at stories from around Iowa tonight. The DNR says 104 thousand FBI are killed in Dubuque county after manure spilled into a waterway creek. The spill happened downstream of a hog and cattle confinement in pig and cattle ponds. The manure reached the creek after heavy rains caused a containment pit to overflow.

Report Generated: 2011/06/28 09:55:34 (CT)

Total Story Count:	23
Total Nielsen Audience:	378,937
Total 30-Second Ad Equivalency:	\$4,390
Total Run Time:	25:41
Total Calculated Ad Equivalency:	\$11,485
Total Calculated Publicity Value:	\$34,386

- "The average scientific dispute is a joust in obscurity, a clash over technical matters that few but the immediate combatants grasp or are even aware of."

– James Glanz, journalist

– New York Times science section 3-30-04

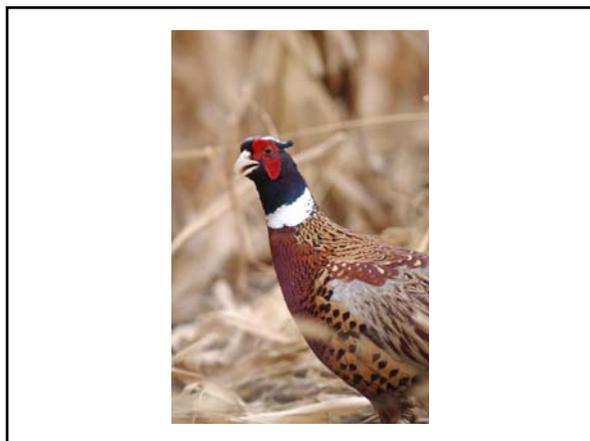
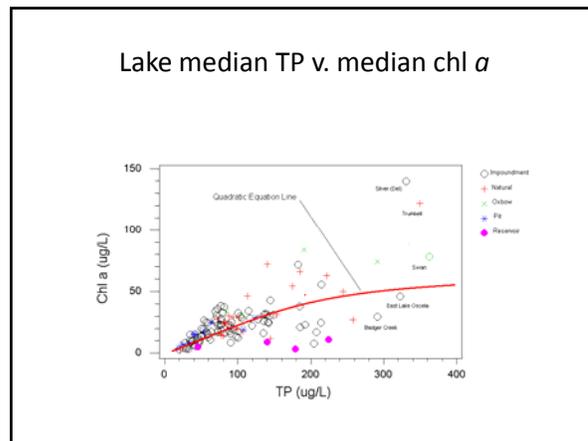
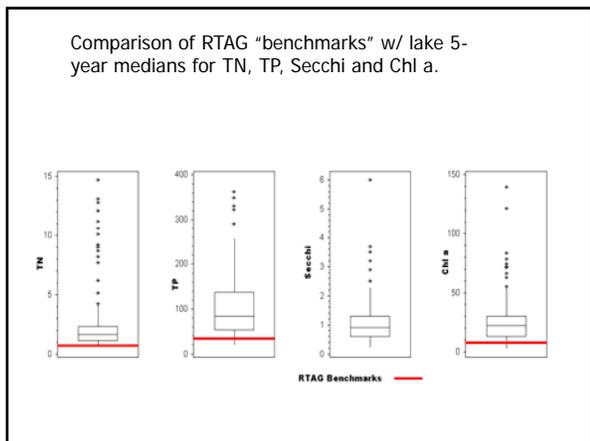


Table 1. Atlas for the state of Iowa, 1995.

INFORMATION	SIZE/NUMBER	SOURCE OF INFORMATION
State population	2,776,755	U.S. Census Bureau, 1990 Census.
State surface area	56,275 square miles.	Total land area is 55,965 square miles; permanent water area is 310 square miles (IOR 1985-86)
Total miles of rivers and streams	71,665 miles	Estimates based on U.S. Geological Service (USGS) digital line graph (DLG) data set as of January 1992.
- perennial streams	26,630 miles	USGS DLG data set
- intermittent streams	42,957 miles	USGS DLG data set
- ditches	1,418 miles	USGS DLG data set
- border river miles	660 miles	Border rivers are the Mississippi R. (315 miles), Des Moines R. (31 miles), Big Sioux R. (136 miles), and Missouri R. (178 miles); estimates from DNR GIS.
Number of lakes, reservoirs, ponds, and wetlands	5,432	Number of standing waterbodies in the USGS DLG data set for Iowa; small privately-owned ponds are included.
- number of significant publicly-owned lakes	115	Significant publicly-owned lakes are defined in Part III, Chapter Four of this report.
- number of flood control reservoirs	4	Coralville, Red Rock, Rathbun, and Saylorville reservoirs operated by U.S. Army Corps of Engineers.
Acres of lakes, reservoirs, ponds, and wetlands	161,366 acres	Total surface area of the 5,432 lakes and reservoirs described above; from USGS DLG data set.
- acres of significant publicly-owned lakes	41,190 acres	Combined surface area of the 115 significant publicly-owned lakes in Iowa.
- acres of flood control reservoirs	40,850 acres	Combined surface area of Saylorville, Coralville, Red Rock, and Rathbun reservoirs.
Acres of freshwater wetlands	36,852 acres	Iowa Wetlands Protection Plan (DNR 1987b). Includes 1,852 acres created by 449 new wetlands created under the Prairie Pothole Joint Venture (DNR 1994a).



- Inherent Difficulties of Science Communication**
- Complex issues need more time to explain
 - Non-attentive public uninterested and disengaged in science issues.
 - Many do not have background to understand most science issues

Political Considerations

- Add to the difficulty of communicating
 - Powerful, well financed special interest groups use sophisticated public relations campaigns to get their message out
 - Often dwarf the science message from agencies

Institute of Southern Studies (2000)

“States with the best environmental performance offer the best job opportunities and climate for long-term economic development.”



Hunting, fishing and wildlife viewing alone are worth...

**\$1.5 BILLION
a year to
Iowa!**

Media are everywhere in Iowa too

- Iowa:
 - More than 300 daily and weekly newspapers
 - Iowa has more newspapers per capita than any other state in the nation (Iowa Newspaper Association)
 - More than 200 radio and TV stations

Some key media trends

- More ways than ever to get news
- Media outlets are using “analysis” to build market share
- Increased emphasis on CAR
- Most of the huge media conglomerates are in serious financial trouble
 - Iowa’s two largest, Gannett and Lee, have lost more than 75 percent of their value in the past three years
 - Downsizing is occurring
 - Cedar Rapids Gazette and Minneapolis Star-Tribune

What does it mean?

- Cuts generally come from the news side
- There is increasing pressure to fill news hole more frequently and with much less resources
- Fragmented market makes it harder to get info to large segments of the public as easily
- Need to develop new methods – podcasts, RSS feeds, social media
- OPPORTUNITY. Less ability to generate their own news, media will be looking for other credible sources

Not working with the media: Pitfalls

- Misinformation
- Political fallout
- Negative image
- Negative publicity



“In the absence of leadership, the people will listen to whoever steps to the microphone”

Working with the media: Benefits

- Know what reporters want
- No longer a “faceless” agency
- Enhance your public image
- Reporters have more knowledge about the DNR
- Fairer and more balanced stories



Published May 14, 2007

REGISTER EDITORIAL BOARD

Rich Leopold, the new director of the Iowa Department of Natural Resources, mentioned during a get-acquainted interview at the Register that the agency handles a fair number of complaints with a relatively small staff....

They are also, in our experience, unfailingly polite and helpful. One journalist who has called various offices for years with questions about this or that reports never running into a single DNR employee who didn't take all the time needed.

So call your local field office if you have a concern.

Some parting, if somewhat depressing, wisdom

- Sometimes, when we've done our job the best as an agency, no one is happy
- We operate within a political system. If you try to apply common sense to everything that happens, you will drive yourself crazy.

Any questions?

DNR Website Update

A Presentation to the Joint Commission
July 13, 2011

Chris Van Gorp
Office of Continuous
Improvement and Planning

Project History

- Process began 3 years ago
- Needs
 - Overall management, creation and editing
 - Access rights for security and structured workflow
 - Archiving and versioning of content
 - Overall website consistency
 - Meet ADA standards
 - Provide capabilities the public expects (i.e. RSS)
 - Improved organization of content



Project History

- May 2008 - Internal group of "P.A.L.s"
- October 2008 – October 2009 - Executive Branch detour
- December '09 - Approval to proceed by TGB
- April 2010 - RFP issued
- June 2010 - NRC and EPC approved contract
- June 2010 - Contract Awarded
- Funding shared across the Department

Main Contract Components

- Design and Usability
- News and Events Calendar
- Security customization
- Workflow and versioning
- Documentation, training, and support

Design and Usability

- Content Inventory
- Pattern Analysis
- Current site survey
- Card sorting exercises (live and via web)
 - End user based – not organization based
 - Results used to identify 7 main categories



Moving Forward

- New site launched June 29
- Press release July 7
- Beginning post-development usability
- Refine and update

www.iowadnr.gov

Update on Strategic Plan and Lean Programs

A Presentation to the Joint Commission
July 13, 2011

Chris Van Gorp
Office of Continuous
Improvement and Planning

Department Mission

To conserve and enhance our natural resources in cooperation with individuals and organizations to improve the quality of life in Iowa and ensure a legacy for future generations.

Vision
Leading Iowans in caring for our natural resources

Guiding Principles

Customer Focus Long-term thinking Quality process improvement Integrity Results /outcome orientation Collaboration	Empowerment Accountability Valuing Employees Mutual Respect Data-based decisions Adaptability
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Current Strategic Plan

- Finalized December 2009
- Updated December 2010
- Includes 4 Goals for the Agency

IOWA DEPARTMENT OF NATURAL RESOURCES FY2010-2011 Strategic Plan Summary	
Goal 1 – Iowa will have a healthy and safe environment	
Strategy 1:	Protect and improve the quality of Iowa's waters.
Strategy 2:	Complete Iowa's Air Plan and initiate implementation.
Strategy 3:	Demonstrate and promote greenhouse gas emission reductions.
Strategy 4:	Develop a natural resources climate change adaptation plan including a vulnerability assessment.
Strategy 5:	Evaluate the quantity and sustainability of our ground water resources at current and proposed levels of use.
Strategy 6:	Build partnerships for a vision of economic and environmentally sustainable land use in Iowa.
Goal 2 – Iowa will have abundant, high-quality opportunities for responsible use and enjoyment of its natural resources	
Strategy 1:	Develop and maintain a high quality recreation system that supports a variety of sustainable outdoor recreational pursuits.
Strategy 2:	Increase the quantity, quality, and accessibility of land and water resources available to public recreational use.
Strategy 3:	Fully launch Honey Creek Resort State Park.
Strategy 4:	Iowa will have healthy ecosystems that incorporate diverse, native habitats capable of sustaining viable fish and wildlife populations.
Goal 3 – Iowans will value, engage, participate and lead in sustaining Iowa's natural resources	
Strategy 1:	Promote and increase participation in nature-based Outdoor Recreation.
Strategy 2:	Develop and implement a recruitment and retention plan for hunters, anglers, and trappers.
Strategy 3:	Lead Iowans in taking responsibility for managing our natural resources and environments on private lands.
Goal 4 – The DNR continually strives to improve organizational performance	
Strategy 1:	Build Leadership Capacity.
Strategy 2:	The DNR will continue to implement and support activities that will result in a more diverse organization.
Strategy 3:	The DNR will implement best management practices on DNR lands and projects.
Strategy 4:	Optimize systems and resources.
Strategy 5:	Improve departmental communication and collaboration.

Status of Current Plan

- Department completed many of the action items
 - Raccoon River Basin Plan
 - FY10 and FY11 items on the Strategy for the Mgmt. of Iowa's Water Resources
 - River Use Survey
 - Upland Game Bird Initiative Report
 - Fully Launch Honey Creek Resort State Park
 - Developed and implemented a marketing strategy toward license buyers
 - Held 12 planning or Lean events per Fiscal Year

Moving Forward

- Executive Leadership team reviewing Goals & Strategies, identifying Department priorities
- Employee input through employee survey
- Commission input through SWOT?
- Strategy leads will develop action items
- Submit to Dept. of Management

Regular Reporting

- Once Plan is updated:
 - Begin quarterly reporting to the Executive Leadership Team
 - Twice per year reporting to monthly Bureau Chief meetings
 - Improved communication of accomplishments to staff and commissions
- Helps ensure follow-through and provides support to teams

Lean at the DNR – a History

- First Kaizen held in 2003
- First state agency to use Lean
- Began dedicating resources in 2005
 - Progress directly related to resource dedication
- Relied on external consultants
- Maintain partnership with private sector

Lean tools used at the DNR

- **Kaizen**
- **Point Kaizen**
- **Design for Lean Sigma**
- **Value Stream Mapping**
- **5S**

Summary of Events

- Since 2003, 67 Lean events held
 - Kaizen – 44
 - Point Kaizen – 6
 - Design for Lean Sigma – 7
 - Value Stream Mapping – 2
 - 5S - 8

A Lean Leader

- DNR viewed as a leader in Lean in both Iowa and the nation
- To date 27 executive branch agencies and 160 events
- Promoted Lean within EPA and USFWS
- Frequently receive requests from other states

Future of Lean at the DNR

- Lean even more important
- Created the Office of Continuous Improvement and Planning
- Building Internal Capacity
 - Team of 14 staff members
- Becoming more strategic in events

Upcoming Events

- 6 Events currently scheduled
 - Wastewater Construction Permitting
 - Shooting Range Grants
 - UST Tank Tag Renewals
 - Law Enforcement 5S
 - Snowmobile Grants
 - ATV Grants

Questions or Comments?



Iowa Department of Natural Resources Environmental Protection Commission

ITEM

2:45
pm

Information

TOPIC

Water Supply: Water Use & Allocation Annual Permit Fee

The Commission is asked to review the Water Use and Allocation Program budget and SFY 2012 annual permit fee, in anticipation of approving the annual fee at its August meeting. The proposed annual permit fee is \$95.00 per permit for SFY 2012.

Background

Water use permits are required of any person or entity using 25,000 gallons of water in a single day during the year, and are issued for a period of up to 10 years. Previously, appropriations from the General Fund were used to fund water allocation and use permits program. During the 2008 legislative session, the legislature authorized the department to collect up to an additional \$500,000 in fees each fiscal year. Iowa Code §455B.265(6) requires the fees to be based on the Department's "reasonable cost of reviewing applications, issuing permits, ensuring compliance with the terms of the permits, and resolving water interference complaints." There are two types of fees in the Water Use and Allocation Program: an application fee and an annual permit fee. This request is for the determination of the annual fee for SFY 2011.

The annual fee rule, adopted in 2009, is summarized below (IAC 567-50.4(2)“b”):

- Each year, the Commission is asked to set the annual fee based on the budgeted expenses for that year minus the amount of any unused funds from the previous year and any general fund appropriations.
- The department reviews the annual permit fee each year and adjusts the fee as necessary to cover all reasonable costs required to develop and administer the water use permitting program.
- The annual fee is based on the number of active permits.
- Each permit holder pays the same annual fee.
- The fee is not prorated and is nonrefundable.
- The department requests Commission approval of the amount of the annual fee no later than September 30 of each year.
- The department provides an annual fee notice to each permittee at least 60 days prior to the fee due date.
- The annual fee due date is December 1st; 60 days prior is October 1st.

There is no annual fee required for either a water storage permit (permitted for the life of the structure) or a minor nonrecurring water use registration (one-year permit duration).

The annual permit fee for SFY 2010 and SFY 2011 was \$135.00.

SFY 2012 Budget

The worksheet included with this agenda brief illustrates the actual expenditures in SFY 2008 – 2010 and the first three quarters of SFY 2011, and the budgeted amounts for SFY 2011 and 2012. The final accounting figures for SFY 2011 should be available later in August. The changes to the budget in 2012 from the previous years include the following:

- Reduction in General Fund appropriation from previous years, which will be covered by the fee revenue;
- Completion and deployment of the Water Use Program's computer database – Phase I, which will improve tracking permits and addresses; enabling access to the database from the Internet (i.e., web-based application); and developing electronic payment feature;
- Tasks associated with the new fees, including mailing the annual fee statement, collection of the appropriate application and annual fees, revision of forms;
- Staffing to conduct more thorough review of the permits and associated data; and
- Enforcement of the state water use program rules.

Fee Analysis

There is a second phase of computer programming required to complete the database functions, which will be done in SFY 2012 and SFY 2013. At the Water Use Stakeholder meeting on June 8, 2011, the program's activities and budget were reviewed. A \$95.00 annual water use permit fee was proposed for SFY 2012, which is \$40.00 less than the annual water use permit fee in SFY 2011.

Based on the budget and stakeholder input, the annual water use permit fee for SFY 2012 should be \$95.00.

Sharon Tahtinen
Acting Chief, Water Quality Bureau
Environmental Services Division
June 22, 2011

Water Allocation and Use (7152)	FY08 Final Expenses	FY09 Final Expenses	FY10 Final Expenses	FY11 Budget	FY 11 Actual Exp. (through April 2011)	FY 12 Budget
REVENUES						
General Fund	\$365,673	\$346,846	\$172,321	\$241,355	\$140,067	\$241,355
Water Use Permit Fund			\$300,035	\$415,000	\$326,822	\$373,178
WU Permit Fund Carryforward				\$150,000	\$200,570*	\$150,000
TOTAL REVENUES	\$365,673	\$346,846	\$472,356	\$806,355	\$466,889	\$614,493
EXPENSES						
FTE	3.49	3.13	3.87	4.00	2.60	4.00
Personal Services	\$303,977	\$287,909	\$321,390	\$355,633	\$254,537	\$376,291
Permanent	0	0	321,390	355,633	254,537	371,028
Non-Permanent	0	0	0		0	5,263
Personal Travel In-State	646	2,067	397	2,150	6	1,200
State Vehicle	0	0	0		0	0
Depreciation	0	0	0		0	0
Pers. Travel Out of State	448	0	0	3,600	72	1,800
Office Supplies	4,161	3,840	1,906	2,300	2,251	2,300
Facility Main. Supplies	0	23	0		0	0
Equipment Maintenance	0	112	0	500	0	500
Prof Supplies	0	0	0		0	0
Ag Supplies	0	0	0		0	0
Other Supply	13	46	78	150	52	150
Print & Binding	482	0	308	800	1,288	800
Uniforms	0	0	0		0	0
Postage	1,125	597	240	250	207	250
Communications	689	690	1,137	2,150	1,003	1,900
Rentals	8,502	9,637	12,307	15,250	9,529	15,650
Utilities	0	0	0		0	0
Professional Services	0	0	81,454	359,833	137,610	149,500
Outside Services	600	0	5,442		21,189	0
Intra-State Transfers	0	0	0		0	0
Advertising & Publishing	3,515	2,208	1,401	4,500	669	2,700
Auditors Reimbursement	0	0	0		0	0
Reimbursement	72	104	96	150	146	150
ITS Reimbursement	0	0	126	2,400	0	2,400
Equipment Inventoriable	771	0	0	2,000	0	2,000
Equipment Non-Inv.	0	0	0		0	0
IT Hardware	0	0	597	500	0	500
Other Expenses	0	0	317		404	0
Securities	0	0	0		0	0
Licenses	0	0	69	1,200	0	1,200
State Aid	0	0	0		0	0
Capitals	0	0	0		0	0
July/Aug. Expense	0	0	0		0	0
Indirects	40,672	39,616	45,091	52,989	37,926	55,202
TOTAL EXPENSES	\$365,673	\$346,846	\$472,356	\$806,355	\$466,889	\$614,493

Notes: Actual Expenditures for SFY2008 - SFY2010 are final. Projected & proposed budget expenditures for SFY2011 & SFY2012 are subject to change.

Actual revenue in Water Use Permit Fund in SFY 2010 totaled \$452,255, and was \$444,870 in SFY 2011 (as of 4/1/2011).

This spreadsheet shows the actual revenue amount drawn from the WU Permit Fund and General Fund, not the fund balance.

*Actual carryforward from 2010 is not included in the SFY2011 YTD Total Revenue.