

MINUTES  
OF THE  
ENVIRONMENTAL PROTECTION COMMISSION  
MEETING  
JULY 21, 2015  
TELECONFERENCE



\_\_\_\_\_  
Chuck Gipp, Director

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## MEETING MINUTES

### CALL TO ORDER

The meeting of the Environmental Protection Commission was called to order by Chairperson Mary Boote at 9:00 a.m. on July 21, 2015 via teleconference. Chair Boote expressed her appreciation to the Commission, DNR staff, and stakeholders for their flexibility with adjusting the meeting to a teleconference to efficiently utilize state resources. Pursuant to Iowa Code section 21.8 it was determined it was impractical for the commissioners to meet in person due to the anticipated travel time and expenses that would have been incurred by commissioners and state employees compared to the anticipated short duration of the meeting.

### COMMISSIONERS PRESENT

Mary Boote, Chair  
Nancy Couser  
Cindy Greiman, Secretary  
LaQuanda Hoskins  
Chad Ingels, Vice Chair  
Ralph Lents  
Joe Riding  
Gene Ver Steeg

### COMMISSIONERS ABSENT

Bob Sinclair

### ADOPTION OF AGENDA

*Motion was made by Joe Riding to approve the agenda as presented. Seconded by LaQuanda Hoskins. Chad Ingels-yea, Joe Riding-yea, Ralph Lents-yea, LaQuanda Hoskins-yea, Nancy Couser-yea, Gene Ver Steeg-yea, Cindy Greiman-yea, and Mary Boote-yea. Motion passes.*

**APPROVED AS PRESENTED**

### APPROVAL OF MINUTES

*Motion was made by Nancy Couser to approve the June 16, 2015 EPC meeting minutes. Seconded by Ralph Lents. Chad Ingels-yea, Joe Riding-yea, Ralph Lents-yea, LaQuanda Hoskins-yea, Nancy Couser-yea, Gene Ver Steeg-yea, Cindy Greiman-yea, and Mary Boote-yea. Motion passes.*

**APPROVED AS PRESENTED**

**MONTHLY REPORTS**

The following monthly reports have been posted on the DNR website under the appropriate meeting month:  
<http://www.iowadnr.gov/InsideDNR/BoardsCommissions.aspx>

1. Rulemaking Status Report
2. Variance Report
3. Enforcement Status Report
4. Administrative Penalty Report
5. Attorney General Referrals Report
6. Contested Case Status Report

**INFORMATION**

**DIRECTORS REMARKS**

- Director Gipp was unable to attend the meeting.

**INFORMATION**

**PUBLIC COMMENT**

- No requests for Public Comments were submitted.

**Written Comments Submitted**

- No written comments were submitted.

**END OF PUBLIC COMMENT**

**CONTRACT AMENDMENT #2 – IOWA DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP – EASTER LAKE WATERSHED PROJECT PHASE ONE**

Rachel Glaza, Environmental Specialist, of the TMDL Section of the Water Quality Bureau presented the following item.

The Department requested Commission approval of a contract amendment to an existing contract with the Iowa Department of Agriculture and Land Stewardship – Division of Soil Conservation. Commission approval is requested to amend the amount of the contract to \$577,286 and extend the contract ending date to June 30, 2017. This is an addition of \$116,500 to the contract amount. Commission rule requires that any contract amendment in excess of \$25,000, or 10% of the original contract, whichever is greater be approved by the Commission. See 567 IAC chapter 8 (incorporating by reference 561 IAC chapter 8).

This increase in funding will allow funding for 2 additional best management practices to be built in high priority areas within the Easter Lake Watershed (see attached project summary for location and description of practices).

**Funding Source:** Federal – Environmental Protection Agency. This project will be funded through Section 319 of the Clean Water Act.

**Background:** Easter Lake is a man-made reservoir located within the city limits of Des Moines in Polk County, Iowa. The lake was constructed in 1967 on the site of the last operating coal mine in Polk County. Currently the lake suffers from poor water clarity, algal blooms, high sedimentation rates, low oxygen concentrations, and a poor fishery. A water quality project to reduce pollutants entering the lake began in the fall of 2013. The parties propose to enter into this contract for the purpose of implementing watershed improvement practices and water quality educational programming for the project selected.

**Contract History:** On October 14, 2013 the Commission approved the Easter Lake Watershed Project Phase 1 contract with the Iowa Department of Agriculture and Land Stewardship – Division of Soil Conservation for the amount of \$415,786. On June 17, 2014 the Commission approved an amendment to this contract. DNR requested to amend the contract amount to \$460,786. This was an additional \$45,000 to the total contract amount for removal of invasive species and woodland restoration within the Easter Lake Watershed.

Rachel Glaza and Allen Bonini, Supervisor of the TMDL Section, shared with Commissioners the funding cycles which include a reserve for unanticipated expenses. When those reserves are not used for unexpected events, the funds can be redistributed for shovel ready projects to enhance watersheds.

Commissioners requested photos and summaries of the progress of the project and the possibility of visiting the site.

*Motion was made by Gene Ver Steeg to approve the agenda item as presented. Seconded by Joe Riding. Chad Ingels-yea, Joe Riding-yea, Ralph Lents-yea, LaQuanda Hoskins-yea, Nancy Couser-yea, Gene Ver Steeg-yea, Cindy Greiman-yea, and Mary Boote-yea. Motion passes.*

**APPROVED AS PRESENTED**

## CONTRACT – DAM INSPECTIONS

Alex Moon, Bureau Chief, of the Land Quality Bureau presented the following item.

Commission approval was requested for a 11 month service contract with the University of Iowa, Iowa City, IA. The contract will begin on August 1, 2015 and terminate on June 30, 2016. The total amount of this contract shall not exceed \$48,309. Iowa 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:** The primary source of funding for this Contract is federal funding from the Natural Resources Conservation Service and the federal Dam Safety Grant (CFDA 97.041).

**Background:** The Iowa DNR has the authority to perform periodic inspections of dams to ensure the safety of human life and property.

The Iowa DNR's Dam Safety Program is tasked with protecting the public from risks associated with dams. The stored water behind a dam can cause extensive damage downstream if the dam should fail. The Iowa DNR inspects dams meeting these criteria:

- All high hazard dams (every 2 years)
- Moderate hazard dams with permanent water storage or more than 100 acre feet and with more than 250 acre feet of top of dam storage (every 5 years)
- Dams where the storage capacity multiplied by the dam's height is greater than 30,000 (every five years)
- The Iowa DNR will also visit dams that show possible signs of failure or at the request of a dam owner.

Inspectors look for:

- Damage to the embankment, including vegetation, waterline erosion, poor slope stability, damage from burrowing rodents and signs of seepage.
- The condition of the dam's main spillway, making sure it is clear of debris and structurally sound and other parts of the spillway war working.
- The condition of the emergency spillway, ensuring it is free of trees, brush and debris.
- Functioning drains and outlets.
- Any changes to conditions or land uses downstream.
- Verification the dam is operating under its permit conditions.

Currently dam safety program staff work with about 40 owners of dams that have not been ranked satisfactory. Generally these dams need repairs to their spillways, need trees removed, have seepage problems or need to be brought up to modern design criteria.

**Purpose:** The parties propose to enter into this contract for the purpose of retaining the contractor to provide up to 3 dam safety inspectors on a part time/hourly basis. Inspections are completed by the two part time contract inspectors, Dick Hall out of Sioux City and Larry Dorgan out of Creston. Both are retired NRCS engineers. A third part time contract inspector may be added to help with the work load. The Iowa DNR's senior dam safety engineer assigns dam inspections to each inspector. After the inspection is completed, the report is sent back to the dam safety engineer, who then begins any compliance follow up actions as necessary.

Alex Moon shared with the Commission the timeframe for the contract was 11 months due to extending the current contract by 1 month and starting a new contract 1 month later than usual.

*Motion was made by Joe Riding to approve the agenda item as presented. Seconded by LaQuanda Hoskins. Chad Ingels-yea, Joe Riding-yea, Ralph Lents-yea, LaQuanda Hoskins-yea, Nancy Couser-yea, Gene Ver Steeg-yea, Cindy Greiman-yea, and Mary Boote-yea. Motion passes.*

**APPROVED AS PRESENTED**

## JOINT AGREEMENT – NRCS DAM INSPECTIONS

Alex Moon, Bureau Chief, of the Land Quality Bureau presented the following item.

Commission approval was requested for a 5 month service agreement with the U.S. Department of Agriculture Natural Resources Conservation Service. The agreement will begin on August 1, 2015 and terminate on December 31, 2015. The total amount of this agreement is not to exceed \$36,800 in payment to the Iowa Department of Natural Resources to complete dam inspections. NRCS shall have the option to extend this agreement.

**Funding Source:** The primary source of funding for this agreement is USDA NRCS.

**Background:** The Iowa DNR has the authority to perform periodic inspections of dams to ensure the safety of human life and property.

The NRCS is required to perform dam inspections on those dams where there is significant or high hazard and where the dam was installed with NRCS assistance.

It is in the mutual interest of the Natural Resources Conservation Service and Iowa Department of Natural Resources to collaboratively partner in the effort of formal inspection of existing High and or Significant Hazard dams.

**Purpose:** The purpose of this agreement is to complete the formal inspection of 40 High and/or Significant Hazard dams in accordance with state of Iowa and NRCS policy to evaluate the construction, operation, and maintenance of dams; to identify observable deficiencies in dams or appurtenant structures; and determine whether the dams meet current and applicable regulatory criteria.

Chair Boote applauded the DNR and NRCS team for efficiently utilizing resources and working collaboratively.

Alex Moon shared with the Commissioners that if the agreement is approved, the inspectors who were approved in the previous agenda item would fulfil the agreement, along with DNR inspectors.

*Motion was made by Cindy Greiman to approve the agenda item as presented. Seconded by Chad Ingels. Chad Ingels-yea, Joe Riding-yea, Ralph Lents-yea, LaQuanda Hoskins-yea, Nancy Couser-yea, Gene Ver Steeg-yea, Cindy Greiman-yea, and Mary Boote-yea. Motion passes.*

**APPROVED AS PRESENTED**

## GENERAL DISCUSSION

- Jerah Sheets shared with the Commission that training for new commissioners will be conducted prior to the August 18, 2015 business meeting.

Chairperson Boote thanked the Commissioners, DNR staff, and stakeholders for their flexibility for adjusting the meeting to a teleconference. She adjourned the Environmental Protection Commission meeting at 9:25 a.m., Tuesday, July 21, 2015.



# Agenda

## Environmental Protection Commission

July 21, 2015

9:00 AM

Conference Phone

Dial (866) 685-1580

Conference code of **4510673319** followed by #

### Tuesday, July 21, 2015 – EPC Business Meeting

9:00 AM – Meeting begins Dial (866) 685-1580 Conference code of **4510673319** followed by #

**Due to the logistics of a teleconference meeting, the Commission will only be accepting requests for Public Participation regarding agenda items # 6, 7, & 8.**

Public Participation<sup>1</sup> – Requests to speak during the business meeting Public Participation must be submitted to Jerah Sheets at [Jerah.Sheets@dnr.iowa.gov](mailto:Jerah.Sheets@dnr.iowa.gov), 502 East 9<sup>th</sup> Des Moines, IA 50319, 515-313-8909, by **Noon, Monday, July 20<sup>th</sup>**. Please indicate who you will be representing (yourself, an association, etc.), the agenda item of interest, and your stance of For, Opposed, or Neutral.

If you are unable to attend the business meeting, comments may be submitted via mail and email for the public record. The Commission encourages data, reports, photos, and additional information provided by noon the day before the meeting to allow ample time for review and consideration.

#### Agenda topics

- |    |   |                             |
|----|---|-----------------------------|
| 1  | Approval of Agenda  |                             |
| 2  | Approval of Minutes   |                             |
| 3  | Monthly Reports   | (Information)               |
| 4  | Public Participation  |                             |
| 5  | Director's Remarks  | Chuck Gipp<br>(Information) |
| 6  | Contract Amendment #2 – Iowa Department of Agriculture and Land Stewardship – Easter Lake Watershed Project Phase One   | Rachel Glaza<br>(Decision)  |
| 7  | Contract – Dam Inspections  | Lori McDaniel<br>(Decision) |
| 8  | Joint Agreement – NRCS Dam Inspections  | Lori McDaniel<br>(Decision) |
| 9  | General Discussion  |                             |
| 10 | Items for Next Month's Meeting  |                             |
|    | <ul style="list-style-type: none"><li>• August 18, 2015 – EPC Business Meeting, Windsor Heights</li><li>• September 14, 2015 – EPC Education Tour, Marshall County</li><li>• September 15, 2015 – EPC Business Meeting, Marshall County</li></ul> |                             |

For details on the EPC meeting schedule, visit

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

<sup>1</sup> 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.

Any person attending the public meeting and has special requirements such as those related to mobility or hearing impairments should contact the DNR or ADA Coordinator at 515-725-8200, Relay Iowa TTY Service 800-735-7942, or [Webmaster@dnr.iowa.gov](mailto:Webmaster@dnr.iowa.gov), and advise of specific needs.

Monthly Variance Report  
May 2015

Item No.	Facility/City	Program	DNR Reviewer	Subject	Decision	Date
1	IPL Lansing	Air Quality	Dennis Thielen	variance to operate boiler using blend of bituminous coal without subbituminous coal for up to 6 months	denied	5/1/2015
2	Cargill Inc Ft Dodge	Air Quality	Ann Seda	variance to construct and use temporary unpaved pats without obtaining modified construction permit	denied	5/5/2015
3	Linwood Mining & Minerals	Air Quality	Reid Bermel	variance to temporarily replace pneumatic conveyor with belt conveyor.	approved	5/5/2015
4	Henderson STP	Wastewater	Laura Knispel	variance from design standards requiring provisions for screening to protect pumps from clogging or damage	approved	5/6/2015
5	Anderson Excavating Construction & Demolition Landfill	Sanitary Disposal	Mick Leat	variance to replace 5-year interval conductivity testing with well deterioration evaluation.	approved	5/6/2015
6	CPD Davenport BR 152.20 at Deer Creek	Flood Plain Management & Dam Safety	Chad Billings	variance to freeboard criterion that low chord of bridge must be set 3 feet above 50-year flood elevation.	approved	5/8/2015
7	Beaverbrooke Boulevard at Little Beacer Creek W	Flood Plain Management & Dam Safety	Chad Billings	variance to backwater limitations	approved	5/8/2015
8	Dearborn Avenue Bridge over Perry Creek	Flood Plain Management & Dam Safety	Karen Smith	variance to freeboard criterion that low chord of bridge must be set 3 feet above 50-year flood elevation.	approved	5/13/2015
9	BRS-6550(605)--60-84	Flood Plain	Jim Hallmark	variance to freeboard criterion that low chord of bridge must be set 3 feet above 50-year flood elevation.	approved	5/15/2015
10	MidAmerican Southland Substation	Air Quality	Reid Bermel	variance for temporary portable emergency/standby generator while secondary feed into new substation is being constructed.	approved	5/15/2015
11	Clinton County Sanitary Landfill	Sanitary Disposal	Mick Leat	variance to landfill up to 120 tons of Class II sewage sludge per week at landfill for one year period	approved	5/19/2015
12	Polaris Industries	Air Quality	Ann Seda	variance for operation limit change	approved	5/20/2015
13	Cambrex Charles City Inc	Air Quality	Ann Seda	variance for temporary vent of reactor	approved	5/22/2015

**DEPARTMENT OF NATURAL RESOURCES  
ENVIRONMENTAL PROTECTION COMMISSION  
ATTORNEY GENERAL REFERRALS  
July, 2015**

Name, Location and Region Number	Program	Alleged Violation	DNR Action	New or Updated Status	Date
Feinberg, Marty; Feinberg Metals Recycling Corp. Fort Madison (6)	Solid Waste	Operation Without Permit; Illegal Disposal	Referred to Attorney General	Referred	4/14/15
Kossuth County (2)	Animal Feeding Operation	DNR Defendent	Defense	Petition for Judicial Review State's Answer P&J Pork Motion to Intervene Order Granting Motion to Intervene Kossuth County Brief State's Brief District Court Review Without Oral Argument	9/18/14 10/08/14 11/07/14 11/20/14 2/03/15 2/13/15 3/04/15
North Central Iowa Regional SWA Fort Dodge (2)	Solid Waste	Operating Permit Violations	Referred to Attorney General	Referred	9/17/13
Peeters Development Co., Inc.; Mt. Joy Mobile Home Park Davenport (6) <b>UPDATED</b>	Wastewater	Monitoring/Reporting; Compliance Schedule; Discharge Limits; Operation Violations; Certified Operator Discipline	Referred to Attorney General	Referred Petition Filed	3/18/14 6/18/15
Pet Memories, Inc. Warren Co. (5) <b>UPDATED</b>	Solid Waste	Judicial Review	Defense	Petition Filed Answer Pet Memories Brief State's Brief Hearing Date Court Ruling for Pet Memories	2/05/14 3/05/14 1/16/15 2/17/15 4/13/15 5/28/15
Scallon, Jim Austinville (2) <b>UPDATED</b>	Solid Waste	Illegal Disposal	Referred to Attorney General	Referred Petition Filed Answer Jury Demand Resistance to Jury Demand Jury Demand Hearing Scheduled	5/20/14 5/28/15 6/22/15 6/22/15 6/25/15 7/27/15

**DEPARTMENT OF NATURAL RESOURCES  
ENVIRONMENTAL PROTECTION COMMISSION  
CONTESTED CASES**

June, 2015

<b>DATE RECEIVED</b>	<b>NAME OF CASE</b>	<b>F.O.</b>	<b>ACTION APPEALED</b>	<b>PROGRAM</b>	<b>ASSIGNED TO</b>	<b>STATUS</b>
10/29/09	Harlan Rudd; Karen Rudd; dba Rudd Brothers Tires	6	Order/Penalty	UT	Brees	Informal negotiation. CADR was submitted, partially rejected with options. Settlement letter sent 2/24/10.
3/11/10	Bondurant, City of	5	Order/Penalty	WW	Hansen	7/2013-On hold pending further investigation. 5/15 – Letter to City Attorney regarding meeting to discuss appeal.
2/28/11	Manson, City of	3	Order/Penalty	WS	Hansen	4/1/11 – Settlement conference held with City. 6/22/11- Settlement offer received from City attorney. 6/28/11- More information requested from City attorney concerning the settlement proposal. 11/29/11- Settlement meeting with City regarding new well project. 12/2011 – City proceeding with project. 6/2012- Contractor worked on new well to remove debris in well. Test pump to be installed to do test of well capacity. 07/2012- City to abandon new well and select new site for well to increase PWS capacity. 10/2012- Water plant work to be done week of 12/10/12. 5/2013- New well project & appeal on hold, pending USDA funding decision. 6/2/13 – USDA funding decision received. 6/26/13 – New bid date for well project. . 7/2013- Tentative schedule for new well received from City’s engineer. 8/13 – Drilling on test well begun by contractor. 9/13 – Test well not productive, new well site approved by Dept. New test well to be drilled. 10/13- Test well drilled but not successful. Test well abandoned. City Council to decide on next step. 1/24/14 – City’s engineer sent revised construction schedule for another test well and production test well. 5/23/14- Test well drilled but not successful. City Council to determine next step. 6/20/14- Letter sent to City requesting plan of action and schedule by 8/30/14 for returning to compliance with order. 8/29/14 – New schedule received from City, to be incorporated into proposed consent amendment. 01/26/14- Proposed consent amendment sent to City for review.
8-27-12	Ag Processing, Inc.; Sergeant Bluff	4	Permit Conditions	AQ	Preziosi	Met with appellant 1/31/14. Met with appellant 3/12/14. Negotiations continuing. Appellant to submit further information in April. Settled in concept. Last communication with appellant on 5/22/14. Communication from appellant 7/22/14. Internal meeting 9/5/14. Letter sent to appellant 12/14 proposing terms of settlement.

**DEPARTMENT OF NATURAL RESOURCES  
ENVIRONMENTAL PROTECTION COMMISSION  
CONTESTED CASES**

June, 2015

<b>DATE RECEIVED</b>	<b>NAME OF CASE</b>	<b>F.O.</b>	<b>ACTION APPEALED</b>	<b>PROGRAM</b>	<b>ASSIGNED TO</b>	<b>STATUS</b>
11-21-12	Ag Processing Inc.	6	Permit Conditions	AQ	Preziosi	Continuing negotiations. Last communication with appellant on 5/20/14. Communication from appellant 7/22/14. Internal meeting 9/5/14. Letter sent to appellant 12/14 proposing terms of settlement.
3-04-13	Anderson Excavating Co., Inc.	4	Order/Penalty	SW	Crotty	Landfill closure underway. Settlement will occur after closure. Inspection on 8/20/14. Closure to be completed this fall.
6-10-13	Mike Jahnke	1	Dam Application	FP	Schoenebaum	Hearing held 7/30/14. ALJ upheld the permit issued by the Department. Mr. Jahnke appealed but on 11/3/14 he asked that his appeal be put on hold until April, 2015.
10-28-13	Regional Environmental Improvement Commission/Iowa Co. SLF	6	Variance	WW	Tack	2/20/15 – Settlement reached. Awaiting execution.
1/16/14	Council Bluffs Water Works	4	Permit Conditions	WW	Tack	Hearing continued. Settlement discussions ongoing.
4/17/14	REIC/Iowa Co. Sanitary Landfill	6	Permit Conditions	WW	Tack	4/27/15 Consent Order signed by REIC. Awaiting receipt.
9/08/14	Craig Ver Steegh	5	Permit Conditions	WW	Crotty	<b>Appeal withdrawn at the request of permittee.</b>
10/01/14	Amsted Rail Company, Inc. (Griffin Wheel Co.)		Permit Conditions	SW	Crotty	Negotiating before filing.
11/13/14	Adam Timmerman	3	Order/Penalty	AFO	Book	<b>Hearing scheduled for 7/20/15.</b>
1/21/15	Sidney, City of	4	Permit Conditions	WS	Hansen	Negotiating before filing. 5/15 – Letter sent to City with settlement offer.
2/05/15	Mahle Engine Components USA	4	Order/Penalty	WW	Hansen	Negotiating before filing. 5/15 – Settlement conference to be scheduled.
3/31/15	Duane Covington	5	Notice to Revoke License	WS	Hansen	DIA hearing scheduled for 6/22/15.
5/22/15	Cedar Ridge Vineyards	6	Order/Penalty	WW	Hansen	Negotiating before filing.
7/02/15	Emmetsburg, City of	3	Permit Conditions	WW	Hansen	New case.
7/07/15	Boone, City of	5	Permit Conditions	WS	Hansen	New case.

**DATE:** July, 2015

**TO:** EPC

**FROM:** Ed Tormey

**RE:** Enforcement Report Update

The following new enforcement actions were taken during this reporting period:

Name, Location and Field Office Number	Program	Alleged Violation	Action	Date
Porter Farms, Inc. Jefferson Co. (6)	Animal Feeding Operation	Prohibited Discharge – Confinement; WQ Violations – General Criteria	Consent Order \$1,000	6/02/15
Farm Nutrients, LLC Kossuth Co. (2)	Animal Feeding Operation	WQ Violations – General Criteria	Consent Order \$1,250 \$3,750 SEP	6/02/15
M.G. Waldbaum Co.; Michael Foods, Inc., et.al. Hancock Co. (2)	Wastewater	Operational Violations	Consent Order \$8,000	6/15/15
Truro, City of (5)	Wastewater	Monitoring/Reporting; Compliance Schedule; Operational Violations	Consent Order	6/15/15
Smith Ag, Inc. Mitchell Co. (2)	Animal Feeding Operation	Prohibited Discharge; WQ Violations – General Criteria	Consent Order \$1,500 \$1,973 Fish \$2,102 Invest.	6/17/15
Twilight Investments, LLC Fremont Co. (4)	Animal Feeding Operation	Land Application Separation Distance	Consent Order \$6,500	6/17/15
Golden Grain Energy, LLC Mason City (2)	Air Quality	Construction Contrary to Permit	Consent Order \$10,000	6/17/15
Bristow, City of (2)	Wastewater	Municipal Improvement Plan	Consent Order	6/29/15
Eastern Iowa Regional Utility Services Systems, Fairview Jones Co. (1)	Wastewater	Permit Condition Violations	Order/Penalty \$1,000	7/01/15
Brian Roorda Dairy, LLC Maurice (3)	Animal Feeding Operation	Prohibited Discharge – Confinement; WQ Violations – General Criteria	Consent Order \$5,500 \$35,000/Fish	7/02/15



IOWA DEPARTMENT OF NATURAL RESOURCES  
LEGAL SERVICES BUREAU

**DATE:** July 1, 2015  
**TO:** Environmental Protection Commission  
**FROM:** Ed Tormey  
**SUBJECT:** Summary of Administrative Penalties

The following administrative penalties are due:

NAME/LOCATION	PROGRAM	AMOUNT	DUE DATE
Robert and Sally Shelley (Guthrie Center)	SW	1,000	3-04-91
Daryl & Karen Hollingsworth d/b/a Medora Store(Indianola)	UT	3,825	3-15-96
Greg Morton; Brenda Hornyak (Decatur Co.)	SW/AQ/WW	3,000	11-04-98
James Harter (Fairfield)	WW	1,336	8-01-01
* Floyd Kroeze (Butler Co.)	AFO	1,500	2-20-01
Midway Oil Co.; David Requet (Davenport)	UT	5,355	9-20-02
Midway Oil Co.; David Requet; John Bliss	UT	44,900	2-28-03
Green Valley Mobile Home Park (Mt. Pleasant)	WW	5,000	4-23-03
Midway Oil Company (West Branch)	UT	7,300	5-03-03
Midway Oil Company (Davenport)	UT	5,790	5-03-03
Albert Miller (Kalona)	AQ/SW	9,735	9-26-03
Mike Messerschmidt (Martinsburg)	AQ/SW	500	4-13-04
Interchange Service Co., Inc., et.al. (Onawa)	WW	6,000	5-07-04
# Dunphy Poultry (Union Co.)	AFO	1,500	6-27-04
# Cash Brewer (Cherokee Co.)	AFO/SW	10,000	8-25-04
# Doorenbos Poultry; Scott Doorenbos (Sioux Co.)	AFO	1,500	10-09-04
# Doug Sweeney (O'Brien Co.)	AFO	375	12-21-04
Harold Linnaberry (Clinton Co.)	SW	1,000	5-18-05
# Joel McNeill (Kossuth Co.)	AFO	2,460	1 21-06
Affordable Asbestos Removal, Inc. (Monticello)	AQ	7,000	4-28-06
# Troy VanBeek (Lyon Co.)	AFO	3,500	10-16-06
Larry Bergen (Worth Co.)	AQ/SW	257	11-01-06
# Joshua Van Der Weide (Lyon Co.)	AFO	3,500	2-25-08
Jon Knabel (Clinton Co.)	AQ/SW	2,000	12-16-08
# Rick Renken (LeMars)	AFO	996	7-03-09
# Robert Fangmann (Dubuque Co.)	AFO	1,000	7-15-09
# Brian Lill (Sioux Co.)	AFO	2,755	7-18-09
Denny Geer (New Market)	SW	9,476	10-31-09
Shrey Petroleum; Palean Oil; Profuel Three (Keokuk)	UT	10,000	3-19-10
Melvin Wellik; Wellik-DeWitt Implement (Britt)	AQ/SW	2,900	4-08-10
Alchemist USA, LLC; Ravinder Singh (Malcom)	UT	8,260	5-03-10
# LJ Unlimited, LLC (Franklin Co.)	AFO/AQ/SW	3,500	5-27-10
Bret Cassens; J & J Pit Stop (Columbus Junction)	UT	8,700	6-20-10
# Christopher P. Hardt (Kossuth Co.)	AFO	2,000	7-07-10
AKD Investments, LLC; H.M. Mart, Inc. (Blue Grass)	UT	6,900	8-06-10
Eastern Hills Baptist Church (Council Bluffs)	WS	1,250	11-29-10

#Animal Feeding Operation  
**BOLD Entries Have Been Referred to DRF**

# Joe McNeill (Kossuth Co.)	AFO	2,460	12-23-10
Gonzalez & Sons Express, Inc. (DeSoto)	WW	8,000	4-20-11
David C. Kuhlemeier (Cerro Gordo Co.)	AQ/SW	900	6-30-11
Steve Friesth (Webster Co.)	AQ/SW	7,857	11-26-11
Josh Oetken (Worth Co.)	AQ/SW	8,220	3-11-12
Bhupinder Gangahar/Saroj Gangahar/International Business	UT	7,935	4-20-12
Finney Industrial Painting, Inc. (Fairfield)	AQ/WW	775	4-23-12
Terry Philips; TK Enterprises (Washington Co.)	AQ/WW	3,000	5-30-12
# Boerderij De Vedhoek, LLC (Butler Co.)	AFO	8,500	11-16-12
B Petro Corporation (Cedar Rapids)	UT	7,728	5-13-13
Ken Odom (Iowa Co.)	AQ/SW	5,000	4-26-13
Massey Properties, LLC; The Wharf (Dubuque)	WS	10,000	10-05-13
Robert Downing (Mahaska Co.)	AQ/SW	10,000	11-20-13
Shriners Hospital for Children, Inc. (Des Moines)	UT	8,890	12-03-13
Larry Eisenhower (Woodbury Co.)	AQ/SW	4,675	3-01-14
Randy Wise; Wise Construction (Buena Vista Co.)	AQ/SW	3,000	4-10-14
Advanced Electroforming, Inc. (Cedar Co.)	AQ	1,500	4-03-14
Western Iowa Telephone Assoc. (Lawton)	WW	4,000	5-24-14
Wendall Abkes (Parkersburg)	SW	3,000	7-30-14
Donna J. Jensen (Ringsted)	AQ/SW	3,000	10-17-14
Dennis Habben (Sioux Co.)	SW	3,000	11-01-14
Leda Properties, LTD (Dubuque)	WW	5,000	12-12-14
Annie's LLC; Togie Pub (Lime Springs)	WS	3,500	12-22-14
Joel Thys; Thys Chevrolet, Inc. (Benton Co.)	AQ/SW	10,000	1-04-15
West Central Cooperative (Halbur)	WW	4,000	1-04-15
Muscatine County Solid Waste Mgmt. Agency (Muscatine)	SW	6,000	2-11-15
# Mark Yeggy; Randalyn Yeggy (Washington Co.)	AFO	5,000	3-23-15
# Benjamin J. Waigand (Union Co.)	AFO	2,500	4-15-15
Aerial Crop Care; Tri State Agri; Hoppe Airspray (Lyon)	WW	3,500	4-23-15
# Cob Rollers Pork, LLC (Bremer Co.)	AFO	3,500	4-30-15
Valley Machining Co. (Rock Valley)	AQ	4,000	6-11-15
	<b>TOTAL</b>	<b>344,510</b>	

**The following penalties have been assessed but are not due at this time:**

# Tim VanEaton (Orient)	AFO	6,000	7-21-15
M.G. Waldbaum Co.; Michael Foods, Inc. (Hancock Co.)	WW	8,000	7-15-15
Golden Grain Energy, LLC (Mason City)	AQ	10,000	7-17-15
Eastern Iowa Regional Utility, Fairview (Jones Co.)	WW	1,000	-----
Brian Roorda Dairy, LLC (Sioux Co.)	AFO	5,500	8-02-15
	<b>TOTAL</b>	<b>30,500</b>	

**The following penalties have been placed on payment plans:**

* Reginald Parcel (Henry Co.)	AQ/SW	110	4-23-05
* Country Stores of Carroll, Ltd. (Carroll)	UT	1,408	6-06-05
* Douglas Bloomquist (Webster Co.)	AQ/SW	3,500	12-01-07
* Jack Knudson (Irwin)	UT	10,000	1-15-08
# Jerry Passehl (Latimer)	SW/WW/HC	2,695	7-01-09
Jerry Wernimont (Carroll)	AQ/SW	216	4-19-10

#Animal Feeding Operation

**BOLD Entries Have Been Referred to DRF**

# Ernest Greiner (Keokuk Co.)	AFO	500	10-10-10
Jim Scallon (Butler Co.)	SW	700	4-15-13
R.H. Hummer Jr., Inc.; 2161 Highway 6 Trail (Iowa Co.)	AQ/SW	3,643	9-15-13
Patrick Baker; Stockton Auto (Davenport)	AQ/SW	83	12-15-14
Ellsworth Excavating Co. (Muscatine Co.)	AQ/SW	75	6-15-15
# Steve Grettenberg; Dragster LLC	AFO	500	11-20-14
<b>Millard Elston III; The Earthman (Jefferson Co.)</b>	<b>AQ/SW</b>	<b>1,815</b>	<b>2-15-13</b>
Simon Simonson (Kossuth Co.)	SW	3,600	11-30-14
Niehouse Cleaners & Draperies, Inc. (Marshalltown)	AQ	2,500	9-15-14
# David Dahlgren (Clarion)	AFO	2,250	12-15-14
# Vicky Kolker; Adams Dairy, LLC (Clayton Co.)	AFO	3,126	7-15-15
	<b>TOTAL</b>	<b>36,721</b>	

The following administrative penalties have been appealed:

<b>Harlan Rudd; Karen Rudd; Rudd Bros. Tires (Drakesville)</b>	<b>UT</b>	<b>10,000</b>	
<b>Bondurant, City of</b>	<b>WW</b>	<b>10,000</b>	
Helen and Virgil Homer; Grandmas Snack Shop; (Aredale)	WS	8,461	
<b>Manson, City of</b>	<b>WS</b>	<b>10,000</b>	
<b>Anderson Excavating Company, Inc. (Pottawattamie Co.)</b>	<b>SW</b>	<b>10,000</b>	
# Adam Timmerman; AT Livestock Ent. South (Cherokee Co.)	AFO	4,250	
Mahle Engine Components USA, Inc. (Atlantic)	WW	10,000	
Cedar Ridge Vineyard, LLC (Swisher)	WW	1,500	
	<b>TOTAL</b>	<b>64,211</b>	

The following administrative penalties have been collected:

# Vicky Kolker; Adams Dairy, LLC (Clayton Co.)	AFO	1,446	
Ellsworth Excavating Co. (Muscatine Co.)	AQ/SW	75	
<b>Josh Oetken (Worth Co.)</b>	<b>AQ/SW</b>	<b>25</b>	
<b>Finney Industrial Painting, Inc. (Fairfield)</b>	<b>AQ/WW</b>	<b>250</b>	
<b>David C. Kuhlemeier (Cerro Gordo Co.)</b>	<b>AQ/SW</b>	<b>100</b>	
Simon Simonson (Kossuth Co.)	SW	100	
ADA Enterprises, Inc. (Worth Co.)	WW	2,500	
Twilight Investments LLC (Fremont Co.)	AFO	6,500	
# Steve Grettenberg; Dragster LLC	AFO	1,250	
# Farm Nutrients, LLC (Kossuth Co.)	AFO	1,250	
Woodland Park, LLC; Woodland MHP (Muscatine)	WW	1,500	
# Vicky Kolker; Adams Dairy, LLC (Clayton Co.)	AFO	1,427	
# Porter Farms, Inc. (Jefferson Co.)	AFO	1,000	
# Smith Ag, Inc. (Mitchell Co.)	AFO	1,500	
	<b>TOTAL</b>	<b>18,923</b>	

#Animal Feeding Operation

**BOLD Entries Have Been Referred to DRF**

**Environmental Protection Commission  
Iowa Department of Natural Resources**

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ITEM

6

DECISION

TOPIC

**Contract Amendment #2 – Iowa Department of Agriculture and Land  
Stewardship – Easter Lake Watershed Project Phase One**

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**Recommendations:**

The Department requests Commission approval of a contract amendment to an existing contract with the Iowa Department of Agriculture and Land Stewardship – Division of Soil Conservation. Commission approval is requested to amend the amount of the contract to \$577,286 and extend the contract ending date to June 30, 2017. This is an addition of \$116,500 to the contract amount. Commission rule requires that any contract amendment in excess of \$25,000, or 10% of the original contract, whichever is greater be approved by the Commission. See 567 IAC chapter 8 (incorporating by reference 561 IAC chapter 8).

This increase in funding will allow funding for 2 additional best management practices to be built in high priority areas within the Easter Lake Watershed (see attached project summary for location and description of practices).

**Funding Source:** Federal – Environmental Protection Agency.

This project will be funded through Section 319 of the Clean Water Act.

**Background:**

Easter Lake is a man-made reservoir located within the city limits of Des Moines in Polk County, Iowa. The lake was constructed in 1967 on the site of the last operating coal mine in Polk County. Currently the lake suffers from poor water clarity, algal blooms, high sedimentation rates, low oxygen concentrations, and a poor fishery. A water quality project to reduce pollutants entering the lake began in the fall of 2013.

**Purpose:**

The parties propose to enter into this contract for the purpose of implementing watershed improvement practices and water quality educational programming for the project selected.

**Contractor Selection Process:**

DNR enters into a contract with IDALS-DSC based on Iowa Code section 455B.103(3).

**Contract History:**

On October 14, 2013 the Commission approved the Easter Lake Watershed Project Phase 1 contract with the Iowa Department of Agriculture and Land Stewardship – Division of Soil Conservation for the amount of \$415,786.

On June 17, 2014 the Commission approved an amendment to this contract. DNR requested to amend the contract amount to \$460,786. This was an additional \$45,000 to the total contract amount for removal of invasive species and woodland restoration within the Easter Lake Watershed.

**Scope of Work:**

For an outline of the **scope of work**, see the attached project summary.

Rachel Glaza, Environmental Specialist

## DNR Section 319-Funded Watershed Project Summary

**PROJECT NAME: EASTER LAKE WATERSHED PROJECT PHASE ONE**

Original Amount: \$415,786

Amended Amount 1:  $(\$415,786 + \$45,000)$  \$460,786

Amended Amount 2:  $(\$460,786 + \$116,500)$  \$577,286

Original Time Frame: November 1, 2013 – June 30, 2016 (3 years)

Amended Time Frame: November 1, 2013 – June 30, 2017 (4 years)

Description: Increase in funding for an existing water quality project.

Project Goal: Reduce sediment and phosphorus delivering to Easter Lake.

Easter Lake, located within the city of Des Moines, has been a great recreational resource for the residents of Des Moines, IA since 1967. However over the last several years the water quality of the lake has diminished due to increased loads of nutrients and sediment as development has occurred around the lake. Currently the lake suffers from poor water clarity, algal blooms, high sedimentation rates, low oxygen concentrations, and a poor fishery. Since construction of the lake in 1967 the water volume has decreased by nearly 30% as a result of sediment being deposited in the lake. In response to these water quality problems, area stakeholders worked together to develop the Easter Lake Water Quality Management Plan (WQMP). The WQMP serves as the culmination of existing studies, citizen and stakeholder input, and a consultant's recommendations for structural and non-structural BMPs intended to reduce stormwater runoff and delivery of pollutants watershed and ultimately renovate Easter Lake through dredging and other in-lake improvements. Phase One projects and programs are aimed at reducing external pollutant delivery to the lake through cost-share and financial incentives for watershed best management practices and stream stabilization projects. Decreasing the transport of eroded soil is critical to restoring Easter Lake and the watershed to a healthy, functioning system. The goal of Phase One is a 10% reduction of sediment loading and a 21% reduction phosphorus loading to Easter Lake.

Improving the water quality of Easter Lake is a complex and challenging effort that will require collaboration of the project sponsors. An aggressive 10 year goal has been set for implementing the WQMP. As previously mentioned pollutant reduction goals include a 44% reduction for phosphorus and 23% reduction in sedimentation loadings to Easter Lake.

Although several management practices addressing pollutant delivery to Easter Lake have been implemented in the past, the ISU DF study indicates that significant sediment and phosphorus loading reductions using additional watershed management practices are required. Engineering modifications to improve water quality will be required; these include targeted stream stabilization/protection and dredging existing detention ponds to restore function. Additionally, public involvement and participation in watershed management practices to reduce phosphorus and sediment loads from the watershed will be required to achieve the 44% reduction in total phosphorus loads required to meet the reduction levels listed in the 2005 TMDL. Engineering solutions alone cannot reach the required total phosphorus loading reduction target without best management practices implemented by the community (ISU 2011).

Although the goal of this WQMP is to remove Easter Lake from the impaired waters list, the structural and programmatic BMPs recommended have multiple benefits. These include, but are not limited to: reduction of a wide range of other pollutants, reduced stormwater runoff volume, reduced landscape maintenance, increased stream stability, reduced infrastructure costs downstream, recharging groundwater levels, aesthetics, and increasing the overall health of the Easter Lake watershed.

The original contract, approved October 14, 2013, provides funding for phase 1 of the WMP. This funding is being used for salary/benefits, information education campaign and best management practices.

The proposed additional funding of \$116,500 will be used for a grade stabilization structure and sediment basin in high priority areas.

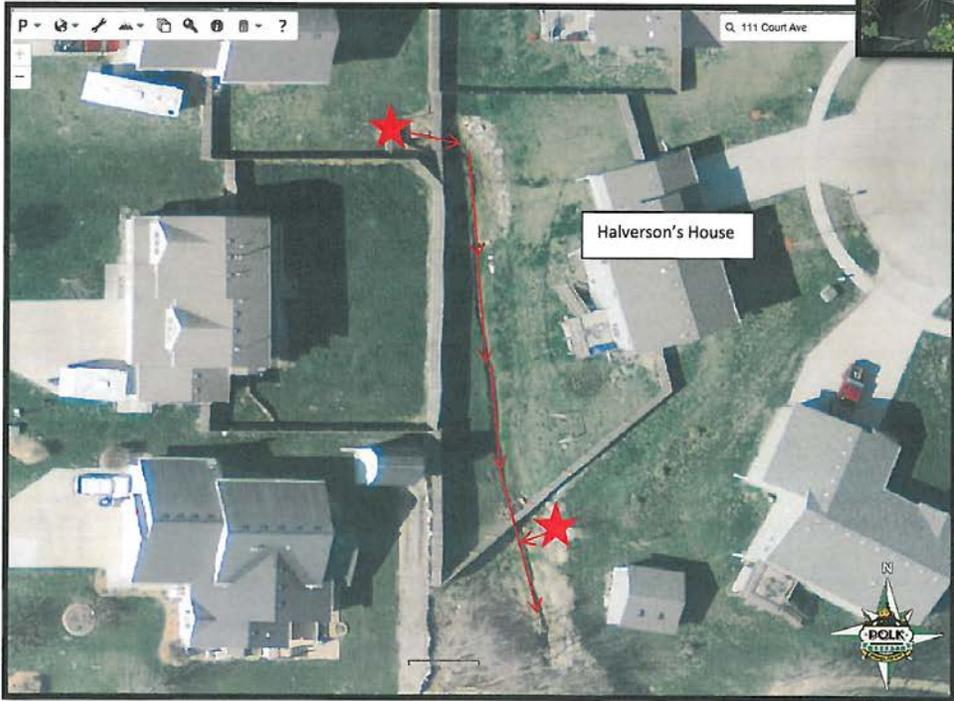
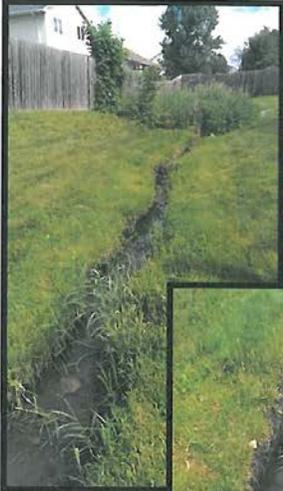
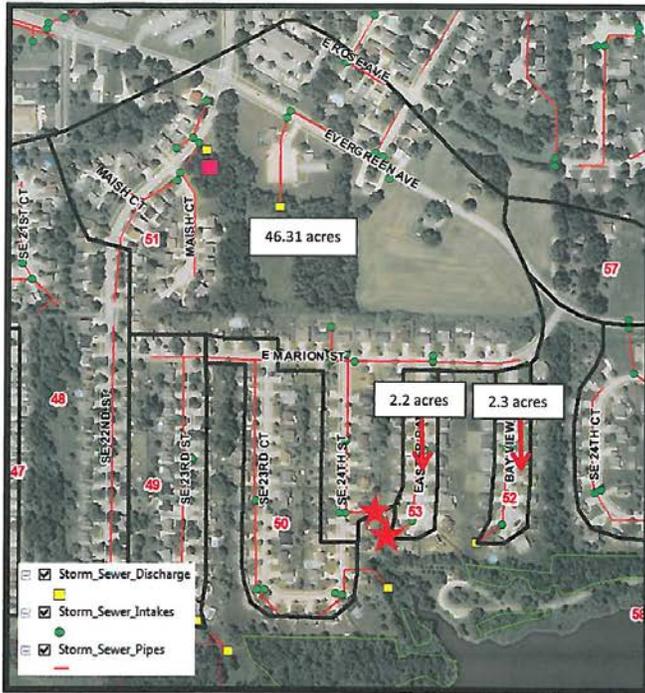
- **Grade Stabilization Structure:** Just north of the lake, 46.31 acres of land drains through a pipe that is dumping directly onto a homeowner's property. This has caused an actively eroding 2'-3' deep by 200' long ditch to form across the entire length of their property and even onto their neighbors. Stabilizing this drainage way will keep tons of sediment and nutrients from entering the lake each year. This project will reduce an estimated 3.4 tons of sediment and 4.4 pounds of phosphorous loading per year.
- **Sediment Basin:** To address the sedimentation and excess nutrients flowing into the lake, a sediment basin/forebay will be constructed on the middle arm to the west of the historic covered bridge. This basin will provide sediment storage that can be easily accessed for maintenance, provide additional recreational opportunities, improve overall water quality within the lake, and provide an opportunity for environmental education with an emphasis on water quality. This project will reduce an estimated 93 tons of sediment and 161 pounds of phosphorous loading per year.

These two proposed practices, combined, will reduce nearly 100 tons of sediment and 165 pounds of Phosphorus from entering the lake each year. The contribution of \$116,500 from 319 will allowed the project to leverage an additional \$157,500 from the Polk County Conservation Board, the City of Des Moines and a watershed resident. This equates to 319 only having to cover 43% of the total cost to get these two practices installed.

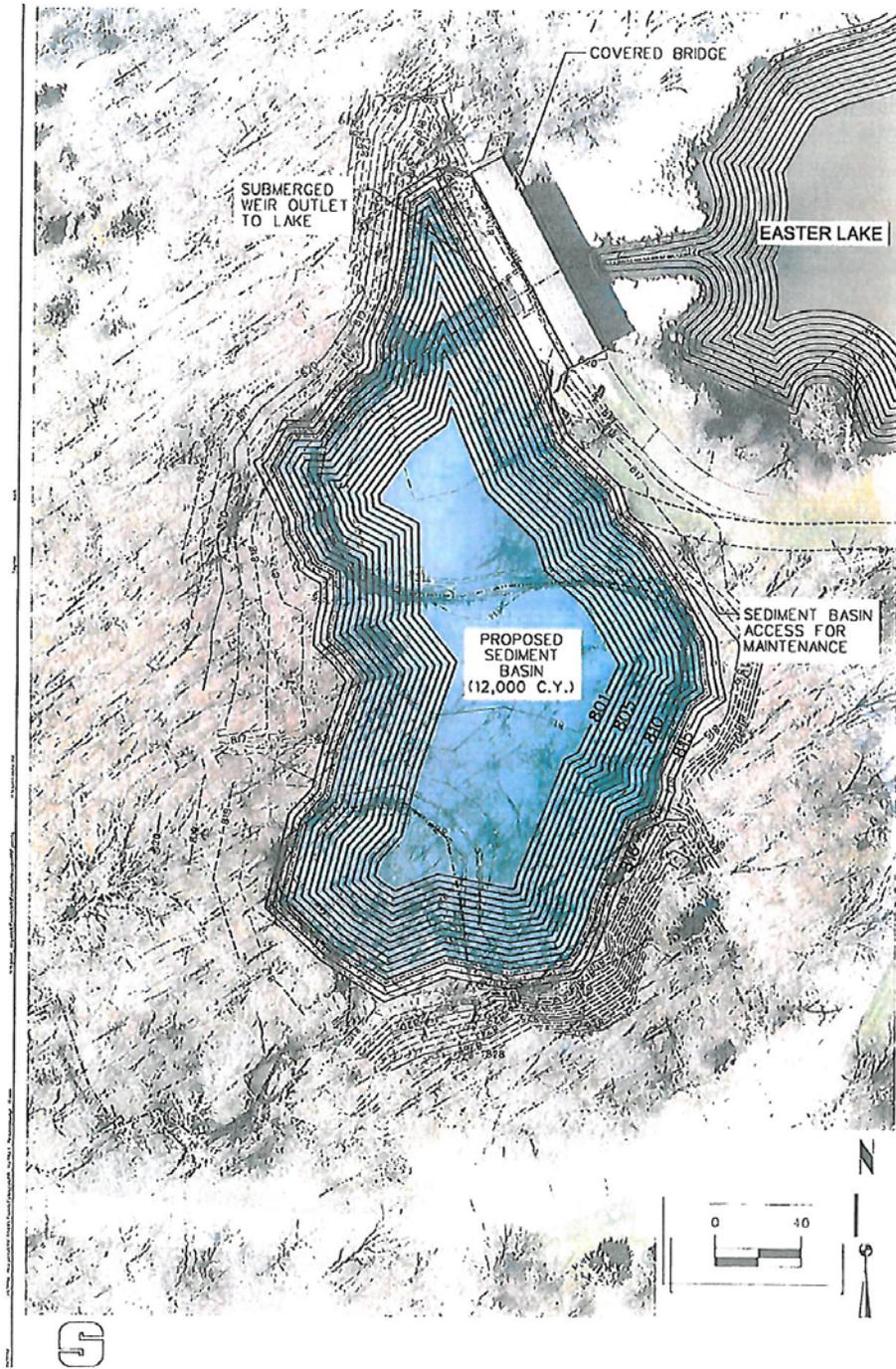
The partners involved in this project are the Iowa DNR, the City of Des Moines, Polk County Conservation Board, the Conservation Districts of Iowa, Polk County Soil and Water Conservation District and the Iowa Department of Agriculture and Land Stewardship – Division of Soil Conservation.

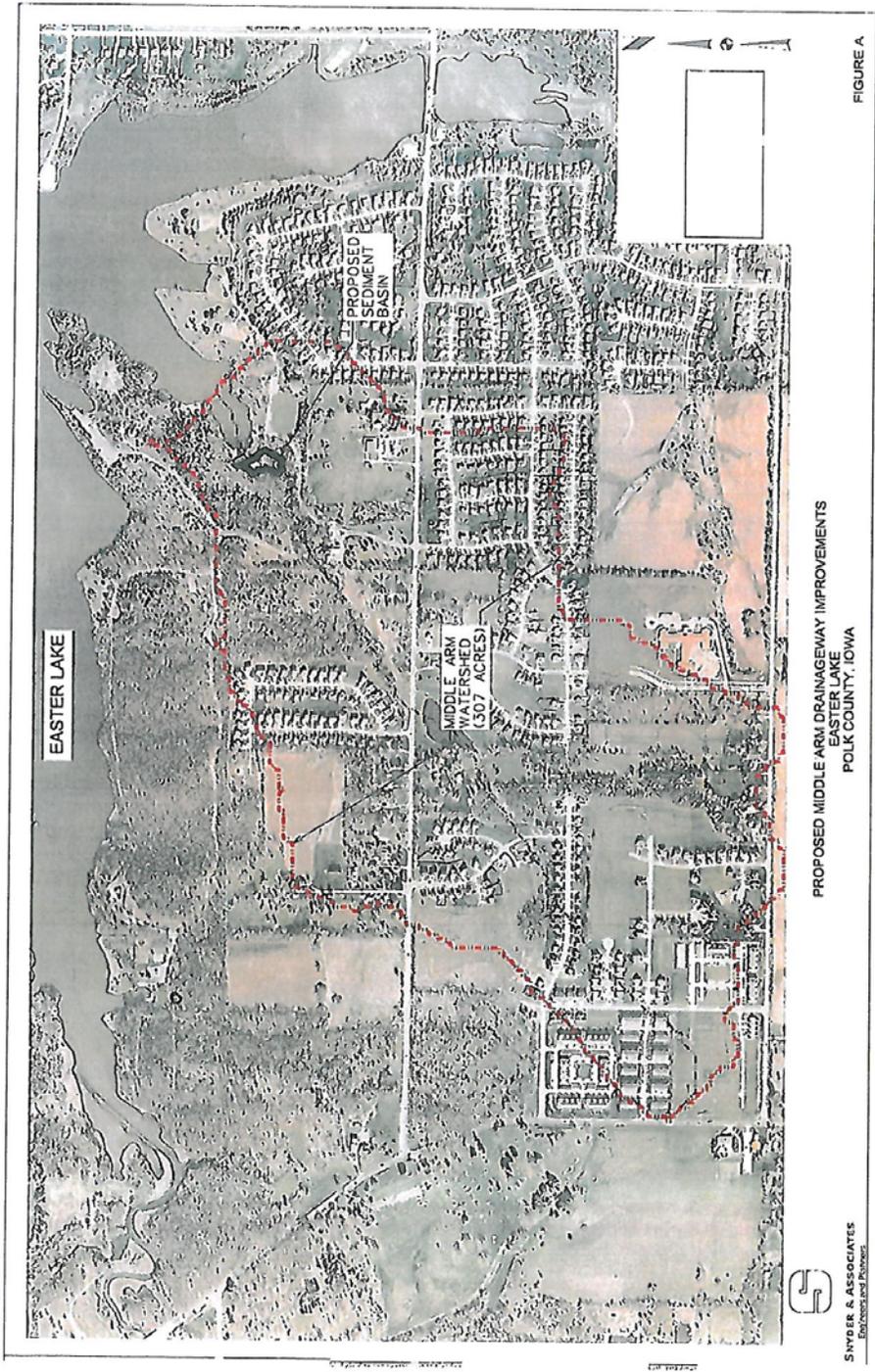
### **Grade Stabilization Structure:**

Figure 1. Drainage Areas



Sediment Basin:





**Iowa Department of Natural Resources  
Environmental Protection Commission**

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ITEM

7

DECISION

TOPIC

**Contract – Dam Inspections**

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**Recommendation:** Commission approval is requested for a 11 month service contract with the University of Iowa, Iowa City, IA. The contract will begin on August 1, 2015 and terminate on June 30, 2016. The total amount of this contract shall not exceed \$48,309. Iowa 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:** The primary source of funding for this Contract is federal funding from the Natural Resources Conservation Service and the federal Dam Safety Grant (CFDA 97.041).

**Background:** The Iowa DNR has the authority to perform periodic inspections of dams to ensure the safety of human life and property.

The Iowa DNR's Dam Safety Program is tasked with protecting the public from risks associated with dams. The stored water behind a dam can cause extensive damage downstream if the dam should fail. The Iowa DNR inspects dams meeting these criteria:

- All high hazard dams (every 2 years)
- Moderate hazard dams with permanent water storage or more than 100 acre feet and with more than 250 acre feet of top of dam storage (every 5 years)
- Dams where the storage capacity multiplied by the dam's height is greater than 30,000 (every five years)
- The Iowa DNR will also visit dams that show possible signs of failure or at the request of a dam owner.

Inspectors look for:

- Damage to the embankment, including vegetation, waterline erosion, poor slope stability, damage from burrowing rodents and signs of seepage.
- The condition of the dam's main spillway, making sure it is clear of debris and structurally sound and other parts of the spillway war working.
- The condition of the emergency spillway, ensuring it is free of trees, brush and debris.
- Functioning drains and outlets.
- Any changes to conditions or land uses downstream.
- Verification the dam is operating under its permit conditions.

Currently dam safety program staff work with about 40 owners of dams that have not been ranked satisfactory. Generally these dams need repairs to their spillways, need trees removed, have seepage problems or need to be brought up to modern design criteria.

**Purpose:** The parties propose to enter into this contract for the purpose of retaining the contractor to provide up to 3 dam safety inspectors on a part time/hourly basis.

Inspections are completed by the two part time contract inspectors, Dick Hall out of Sioux City and Larry Dorgan out of Creston. Both are retired NRCS engineers. A third part time contract inspector may be added to help with the work load. The Iowa DNR's senior dam safety engineer assigns dam inspections to each inspector. After the inspection is completed, the report is sent back to the dam safety engineer, who then begins any compliance follow up actions as necessary.

Lori McDaniel, Supervisor  
Flood Plain Management & Dam Safety Section, Land Quality Bureau

<b>Obligation</b>	<b>Task Milestone Date</b>
<p><b>Task 1: Dam Safety Inspections</b>  <b>Description:</b> Contractor shall conduct Dam Safety Inspections. Contractor shall employ up to three hourly part-time staff positions to work on the Tasks assigned by this Contract. DNR shall designate the dams to be inspected by Contractor, and each inspection shall occur within 30 days of DNR's request. Each inspection shall result in the completion of a written inspection report using the DNR's template that shall include the following information:</p> <ul style="list-style-type: none"> <li>• The date of the inspection</li> <li>• The name of the inspector</li> <li>• The location of the inspection</li> </ul> <p>An estimated 50 inspections shall be assigned and completed by the inspectors provided by the Contractor.</p> <p>Inspectors shall inspect for all of the following:</p> <ul style="list-style-type: none"> <li>• Damage to the embankment, including vegetation, waterline erosion, poor slope stability, damage from burrowing rodents and signs of seepage.</li> <li>• The condition of the dam's main spillway, making sure it is clear of debris and structurally sound, and other parts of the spillway are working.</li> <li>• The condition of the emergency spillway, ensuring it is free of trees, brush and debris.</li> <li>• Functioning drains and outlets.</li> <li>• Any changes to conditions or land uses downstream.</li> <li>• Verification the dam is operating under its permit conditions.</li> </ul> <p>Inspections shall be completed in accordance with state and federal rules including IAC 567- Chapter 73 and Title 180 Conservation Planning and Application National Operation &amp; Maintenance Manual Part 500 – Operation and Maintenance. All written inspection reports shall be submitted to DNR for review by one of the DNR's dam safety engineers. Reports shall be submitted no later than the last day of the month following the month during which the inspection occurred. Inspectors shall complete any requests for follow-up actions designated by DNR's dam safety engineers.</p>	<p>Ongoing – Physical Dam Inspections and Inspection Reports shall occur as assigned by DNR on a monthly basis and shall be tracked through the monthly invoice and as directed by the Department's senior dam safety engineer.</p>

<b><u>Task*</u></b>	<b><u>Total Amount of compensation allotted to Task**</u></b>	<b><u>Task Milestone Date</u></b>	<b><u>Invoice Due No Later Than:</u></b>
<b>Task 1: Dam Safety Inspections</b>		Last day of each month	30 days after the last day of each month
Salary – variable and to be paid on an hourly basis	\$31,000		
Travel – variable based on actual travel costs for gas mileage and meals	\$5,000		
Staff Management (fixed)	\$8,730		
Sub-totals	\$44,730		
Facilities and Administrative Costs @ 8%	\$3,579		
<b>Total</b>	Not to Exceed: \$48,309		

**Iowa Department of Natural Resources  
Environmental Protection Commission**

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**ITEM**

**8**

**DECISION**

**TOPIC**

**Joint Agreement – NRCS Dam Inspections**

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**Recommendation:**

Commission approval is requested for a 5 month service agreement with the U.S. Department of Agriculture Natural Resources Conservation Service. The agreement will begin on August 1, 2015 and terminate on December 31, 2015. The total amount of this agreement is not to exceed \$36,800 in payment to the Iowa Department of Natural Resources to complete dam inspections. NRCS shall have the option to extend this agreement.

**Funding Source:**

The primary source of funding for this agreement is USDA NRCS.

**Background:**

The Iowa DNR has the authority to perform periodic inspections of dams to ensure the safety of human life and property.

The NRCS is required to perform dam inspections on those dams where there is significant or high hazard and where the dam was installed with NRCS assistance.

It is in the mutual interest of the Natural Resources Conservation Service and Iowa Department of Natural Resources to collaboratively partner in the effort of formal inspection of existing High and or Significant Hazard dams.

**Purpose:**

The purpose of this agreement is to complete the formal inspection of 40 High and/or Significant Hazard dams in accordance with state of Iowa and NRCS policy to evaluate the construction, operation, and maintenance of dams; to identify observable deficiencies in dams or appurtenant structures; and determine whether the dams meet current and applicable regulatory criteria.

Lori McDaniel, Supervisor  
Flood Plain Management & Dam Safety Section, Land Quality Bureau  
Environmental Services Division

June 26, 2015

## List of Dams

Count	DAM_NAME	FED_ID	NID_ID	LONGITUDE	LATITUDE
1	WALTERS CREEK M-1-A	IA00077000	IA00077	-94.741667	41.058333
2	EMERY BERTELSEN	IA00126000	IA00126	-94.925000	41.685000
3	HAMBURG M-1	IA00392000	IA00392	-95.656667	40.630000
4	MILL-PICAYUNE B-3	IA00467000	IA00467	-95.590367	41.852533
5	GRELL POND DAM	IA00514000	IA00514	-95.503333	42.373333
6	LAKE MORRIS 3	IA00589000	IA00589	-93.223333	40.998333
7	LAKE MORRIS 5	IA00590000	IA00590	-93.228333	40.988333
8	LAKE MORRIS 7	IA00591000	IA00591	-93.243333	40.986667
9	PONY CREEK 21	IA00675000	IA00675	-95.790000	41.070000
10	LS ARNOLD ARMSTRONG 23-2350	IA00788000	IA00788	-95.863333	42.128333
11	LEUTZINGER-LOWE RUN M-1	IA00826000	IA00826	-91.105000	41.421667
12	PIERCE CREEK 1 10	IA00841000	IA00841	-95.365000	40.850000
13	SCHINDEL-FOCHT GRP	IA00860000	IA00860	-96.353333	42.571667
14	JEFFERSON PARK SITE 1	IA01103000	IA01103	-92.453333	40.978333
15	JEFFERSON PARK SITE 3	IA01104000	IA01104	-92.443333	40.985000
16	JEFFERSON PARK SITE 4	IA01105000	IA01105	-92.433333	40.975000
17	LS GLEN ELLEN 3-2	IA01253000	IA01253	-96.326433	42.418283
18	EAST LAKE DAM	IA01337000	IA01337	-93.746667	41.035000
19	PRESCOTT	IA01459000	IA01459	-94.621667	41.036667
20	TROUBLESOME CREEK 84-1	IA01463000	IA01463	-94.925000	41.583333
21	DAVIDS CREEK 1A-3	IA01469000	IA01469	-94.866667	41.583333
22	DAVIDS CREEK 1B-2	IA01470000	IA01470	-94.858333	41.596667
23	TURKEY CREEK 50-D	IA01503000	IA01503	-94.800000	41.436667
24	BADGER CREEK 19-5	IA01618000	IA01618	-93.815000	41.485000
25	INDIAN CREEK 2	IA01664000	IA01664	-95.822917	41.318650
26	BACON CREEK C-1	IA01685000	IA01685	-96.361667	42.518333
27	TROUBLESOME CREEK D-47	IA01691000	IA01691	-94.763333	41.556667
28	CRESTON DAM	IA01756000	IA01756	-94.361667	41.071667
29	BACON CREEK A-2-4	IA01791000	IA01791	-96.346667	42.483333
30	BACON CREEK A-3-1	IA01795000	IA01795	-96.338333	42.496667
31	BACON CREEK A-1-1	IA01796000	IA01796	-96.356667	42.498333
32	BACON CREEK A-3	IA01797000	IA01797	-96.331667	42.498333
33	LS CRAWFORD CREEK M-3	IA01851000	IA01851	-95.606667	42.276667
34	HELD E-4	IA01856000	IA01856	-96.299450	42.643936
35	HELD E-3	IA01857000	IA01857	-96.306783	42.639772
36	W. CARSON	IA01870000	IA01870	-95.576667	42.726667
37	DAKINS LAKE DAM	IA01957000	IA01957	-93.293056	42.170278
38	MILL-PICAYUNE M-22-3	IA01988000	IA01988	-95.471667	41.823333
39	YELLOW SMOKE PARK DAM	IA02014000	IA02014	-95.321667	42.020000
40	BADGER CREEK M-1-A	IA02026000	IA02026	-93.920000	41.471667
41	PIKES PEAK DAM	IA02061000	IA02061	-91.184417	43.009722
42	SIEGEL DAM	IA02062000	IA02062	-91.199444	43.012194
43	SLAUGHTER DAM	IA02063000	IA02063	-91.195694	43.022056

44	TURKEY CREEK 59-D-2	IA02091000	IA02091	-94.750000	41.471667
45	LITTLE RIVER 65-3	IA02128000	IA02128	-93.791667	40.738333
46	BACON CREEK H-1-1	IA02139000	IA02139	-96.340000	42.538333
47	BACON CREEK H-2-2	IA02143000	IA02143	-96.321667	42.528333
48	TWELVE MILE M-1	IA02194000	IA02194	-94.250000	41.050000
49	LITTLE RIVER M-1	IA02263000	IA02263	-93.783056	40.750000
50	LAKE GREENFIELD	IA02267000	IA02267	-94.446944	41.300000
51	MILL-PICAYUNE M-24-17	IA02301000	IA02301	-95.485000	41.851667
52	TWELVE MILE D-62-1	IA02308000	IA02308	-94.266667	41.051389
53	LS SMOKEY HOLLOW 4	IA02310000	IA02310	-95.949722	42.249167
54	LS SMOKEY HOLLOW 1	IA02311000	IA02311	-95.949444	42.235556
55	LS SMOKEY HOLLOW 2	IA02312000	IA02312	-95.940278	42.237500
56	LS SMOKEY HOLLOW 3	IA02313000	IA02313	-95.936667	42.235556
57	BACON CREEK H-1	IA02343000	IA02343	-96.296667	42.541944
58	BACON CREEK H-3-1	IA02344000	IA02344	-96.283611	42.524167
59	BACON CREEK H-3-2	IA02345000	IA02345	-96.293611	42.520278
60	BACON CREEK J-1	IA02346000	IA02346	-96.303333	42.555556
61	BACON CREEK J-5	IA02347000	IA02347	-96.275000	42.541944
62	LITTLE RIVER 65	IA02349000	IA02349	-93.813333	40.758333
63	TURKEY CREEK 59D-1	IA02497000	IA02497	-94.748333	41.463333
64	TURKEY CREEK 24-1	IA02504000	IA02504	-94.916667	41.405556
65	LS LITTLE WHISKEY M-2	IA02533000	IA02533	-96.275000	42.498333
66	INDIAN CREEK-VAN BUREN M-4	IA02626000	IA02626	-91.985556	40.682778
67	NORTH PIGEON M-1	IA02662000	IA02662	-95.820278	41.446944
68	BACON CREEK J-3	IA02671000	IA02671	-96.316389	42.542778
69	TURKEY CREEK 55-D	IA02870000	IA02870	-94.780000	41.440000
70	THREE MILE CREEK M-2	IA02944000	IA02944	-94.208889	41.068333

# DAM INSPECTION REPORT

Inspected By 36T		Others Present 36T			
DNR Permit No.	County		Latitude	Longitude	Last Inspection 36T
Owners Name		Owners Email		Owners Phone	
Owners Address 36T		City 36T		State	Zip 36T
Contact's Name		Contact's Email			Contact's Phone
Hazard H	Drainage area AC	Surface Area 36T AC	Height ft.	Length ft.	Slope: Up 3 H:1V Down 3 H:1V
Structure Classification	Normal Volume 0 AC-FT	Auxiliary Spillway Volume AC-FT	Maximum Volume AC-FT		Inspection Frequency years
<b>Dam History</b> 36T					
<b>Hazard Classification Review</b> Have there been changes in downstream land use? <input type="checkbox"/> No <input type="checkbox"/> Yes (If yes, please explain) <i>Please describe reasons for hazard classification.</i> <i>Please describe changes in downstream land use.</i>					
<b>Previous Rating and Recommendations for Maintenance, Repairs, and Upgrades:</b> Previous rating: <input type="checkbox"/> Satisfactory <input type="checkbox"/> Fair <input type="checkbox"/> Poor <input type="checkbox"/> Unsatisfactory <input type="checkbox"/> Not Rated 36T					
<b>Miscellaneous Information</b> 36T					
<b>Directions to Dam</b> 36T					
<b>FIELD CONDITIONS OBSERVED</b> Water Level _ Ground Moisture Condition: <input type="checkbox"/> Dry <input type="checkbox"/> Wet <input type="checkbox"/> Other _					
<b>MONITORING</b> <input type="checkbox"/> None <input type="checkbox"/> Yes <input type="checkbox"/> Gage Rod <input type="checkbox"/> Piezometers <input type="checkbox"/> Seepage Weirs <input type="checkbox"/> Survey Monuments					

Other]

Comments \_

<b>A UPSTREAM SLOPE</b>	
GOOD	<input type="checkbox"/>
ACCEPTABLE	<input type="checkbox"/>
DEFICIENT	<input type="checkbox"/>
POOR	<input type="checkbox"/>

**PROBLEMS NOTED:**  None  Riprap – Missing, Sparse, Displaced, Weathered  Wave Erosion with Scarps  Cracks with Displacement  Sinkholes  Appears too Steep  Depressions or Bulges

Slides  Animal Burrows  Poor Vegetative Cover  Trees, Brush  Livestock Damage

Other \_\_\_\_\_

**Comments:**

<b>B CREST</b>	
GOOD	<input type="checkbox"/>
ACCEPTABLE	<input type="checkbox"/>
DEFICIENT	<input type="checkbox"/>
POOR	<input type="checkbox"/>

**PROBLEMS NOTED:**  None  Ruts or Puddles  Erosion  Cracks with Displacement  Sinkholes  Not Wide Enough  Low Area  Misalignment  Inadequate Surface  Poor Vegetative Cover

Trees, Brush  Livestock Damage  Other \_\_\_\_\_

**Comments:**

<b>C DOWNSTREAM SLOPE</b>	
GOOD	<input type="checkbox"/>
ACCEPTABLE	<input type="checkbox"/>
DEFICIENT	<input type="checkbox"/>
POOR	<input type="checkbox"/>

**PROBLEMS NOTED:**  None  Livestock Damage  Erosion or Gullies  Cracks with Displacement

Sinkholes  Appears too Steep  Depression or Bulges  Slides  Soft Area

Poor Vegetative Cover  Trees, Brush  Animal Burrows  Other \_

–

**Comments:**

<b>D SEEPAGE</b>	
GOOD(non e)	<input type="checkbox"/>
ACCEPTABLE	<input type="checkbox"/>
DEFICIENT	<input type="checkbox"/>
POOR	<input type="checkbox"/>

**INTERNAL EMBANKMENT DRAINS:**  None  Yes **DESCRIPTION:** \_

–

**DRAIN OUTFALLS SEEN**  No  Yes [ Flow Clear  Flow Muddy  Dry/Obstructed]

**PROBLEMS NOTED:**  None  Saturated Embankment Area  Seepage Exits on Embankment

Seepage Exits at Point Source  Seepage Area at Toe  Flow Adjacent to Outlet

Seepage Clear  Seepage Muddy  Other \_\_\_\_\_

**Comments:**

<b>E PRINCIPAL SPILLWAY</b>	
GOOD	<input type="checkbox"/>
ACCEPTABLE	<input type="checkbox"/>
DEFICIENT	<input type="checkbox"/>
POOR	<input type="checkbox"/>

**DESCRIPTION:** \_\_\_\_\_

**INTERIOR INSPECTED:**  Yes  No  N/A

**DRAWDOWN STRUCTURE:**  None  Yes **RECENTLY EXERCISED:**  No  Yes

**PROBLEMS NOTED:**  None  Deterioration  Separation  Cracking  Inlet/Outlet Deficiency

Stilling Basin Inadequacies  Trash Rack  Other \_

–

**Comments:**

<b>F AUXILIARY SPILLWAY</b>		<b>DESCRIPTION:</b> _____
GOOD	<input type="checkbox"/>	<b>PROBLEMS NOTED:</b> <input type="checkbox"/> None <input type="checkbox"/> No Auxiliary Spillway Found <input type="checkbox"/> Erosion with Backcutting <input type="checkbox"/> Crack with Displacement <input type="checkbox"/> Appears to be Structurally Inadequate <input type="checkbox"/> Appears too Small <input type="checkbox"/> Inadequate Freeboard <input type="checkbox"/> Flow Obstructed <input type="checkbox"/> Concrete Deteriorated/Undermined <input type="checkbox"/> Other _____
ACCEPTABLE	<input type="checkbox"/>	
DEFICIENT	<input type="checkbox"/>	
POOR	<input type="checkbox"/>	
<b>Comments:</b>		

<b>G MAINTENANCE AND REPAIRS</b>		<b>PROBLEMS NOTED:</b> <input type="checkbox"/> None <input type="checkbox"/> Access Road Needs Maintenance <input type="checkbox"/> Cattle Damage
GOOD	<input type="checkbox"/>	<input type="checkbox"/> Spillway Obstruction <input type="checkbox"/> Brush, Weeds, Tall Grass, on Upstream Slope, Crest, Downstream Slope, Toe <input type="checkbox"/> Trees on Upstream Slope, Crest, Downstream Slope, Toe <input type="checkbox"/> Rodent Activity on Upstream Slope, Crest, Downstream Slope, Toe <input type="checkbox"/> Deteriorated Concrete-Facing, Outlet, Spillway <input type="checkbox"/> Gate and/or Drawdown Need Repair <input type="checkbox"/> Other _____
ACCEPTABLE	<input type="checkbox"/>	
DEFICIENT	<input type="checkbox"/>	
POOR	<input type="checkbox"/>	
<b>Comments:</b>		

<b>H OVERALL CONDITION</b>		See page 8 for Overall Condition rating definition.
SATISFACTORY	<input type="checkbox"/>	
FAIR	<input type="checkbox"/>	
POOR	<input type="checkbox"/>	
UNSATISFACTORY	<input type="checkbox"/>	

**Inspection Notes**

## GUIDELINES FOR DETERMINING CONDITIONS

### CONDITIONS OBSERVED – APPLIES TO UPSTREAM SLOPE, CREST, DOWNSTREAM SLOPE, PRINCIPAL SPILLWAY, AUXILIARY SPILLWAY

GOOD	ACCEPTABLE	DEFICIENT	POOR
<p>In general, this part of the structure has a good appearance, and conditions observed in this area do not appear to threaten the safety of the dam.</p>	<p>Although general cross-section is maintained, surfaces may be irregular, eroded, rutted, spalled, or otherwise not in new condition. Conditions in this area do not currently appear to threaten the safety of the dam.</p>	<p>Continued deterioration and/or unusual loading may threaten the safety of the dam.</p>	<p>Conditions observed in this area appear to threaten the safety of the dam. Conditions observed in this area are unacceptable.</p>

### CONDITIONS OBSERVED – APPLIES TO SEEPAGE

GOOD (none)	ACCEPTABLE	DEFICIENT	POOR
<p>No evidence of uncontrolled seepage. No unexplained increase in flows from designed drains. All seepage is clear. Seepage conditions do not appear to threaten the safety of the dam.</p>	<p>Some seepage exists at areas other than the drain outfalls, or other designed drains. No unexplained increase in flows from designed drains. All seepage is clear. Seepage conditions observed do not currently appear to threaten the safety of the dam.</p>	<p>Excessive seepage exists at areas other than drain outfalls and other designed drains. Seepage needs to be evaluated. Increased flow and/or continued deterioration in seepage conditions may threaten the safety of the dam.</p>	<p>Excessive seepage conditions observed appears to threaten the safety of the dam and is unacceptable. Examples: 1) Designed drain or seepage flows have increased without increase in reservoir level. 2) Drain or seepage flows contain sediment. i.e., muddy water or particles in jar samples. 3) Widespread seepage, concentrated seepage or ponding appears to threaten the safety of the dam.</p>

### CONDITIONS OBSERVED – APPLIES TO MAINTENANCE AND REPAIR

GOOD	ACCEPTABLE	DEFICIENT	POOR
<p>Dam appears to receive effective on-going maintenance and repair, and only a few minor items may need to be addressed.</p>	<p>Dam appears to receive maintenance, but some maintenance items need to be addressed. No major repairs are required.</p>	<p>Level of maintenance of the dam needs significant improvement. Major repairs may be required. Continued neglect of maintenance may threaten the safety of the dam.</p>	<p>Dam does not receive adequate maintenance. One or more items needing maintenance or repair have begun to threaten the safety of the dam. Level of maintenance is unacceptable.</p>

### OVERALL CONDITIONS

SATISFACTORY	FAIR	POOR	UNSATISFACTORY
<p>No existing or potential dam safety deficiencies re-cognized. Safe performance is expected under all anticipated loading conditions, including such events as infrequent hydro-logic and/or seismic events.</p>	<p>No existing dam safety deficiencies are recognized for normal loading conditions. Infrequent hydrologic and/or seismic events would probably result in a dam safety deficiency.</p>	<p>A potential dam safety deficiency is clearly recognized for normal loading conditions. Immediate actions to resolve the deficiency are recommended; reservoir restrictions may be necessary until problem resolution.</p>	<p>A dam safety deficiency exists for normal conditions. Immediate re-medial action is required for problem resolution.</p>

### HAZARD CLASSIFICATIONS OF DAMS

LOW HAZARD	MODERATE HAZARD	HIGH HAZARD
<p>Structures located in areas where damages from a failure would be limited to loss of the dam, loss of livestock, damages to farm out-buildings, agricultural lands, and lesser used roads, and where loss of human life is considered unlikely</p>	<p>Structures located in areas where failure was damage isolated cabins, industrial or commercial buildings, moderately traveled roads or railroads, interrupt major utility services, but without substantial risk of loss of human life.</p> <p>In addition, structures where the dam and its impoundment are of themselves of public importance shall be considered moderate hazard.</p>	<p>Structures located in areas where failure may create a serious threat of loss of human life or result in serious damage to residential, industrial or commercial areas, important public utilities, public buildings, or major transportation facilities.</p>

### STRUCTURE CLASSIFICATIONS OF DAMS

MAJOR STRUCTURE	NON-MAJOR STRUCTURE
<p>Any dam that meets any of the following criteria: 1) any high hazard dam; 2) any moderate hazard dam with a permanent storage exceeding 100 acre-feet or a total of permanent and temporary storage exceeding 250 acre-feet at the top of dam elevation; or 3) any dam where the height of the emergency spillway measured above the elevation of the channel bottom at the centerline of the dam (in feet) multiplied by the total storage volume (in acre-feet) to the emergency spillway crest elevation exceeds 30,000.</p>	<p>All dams not meeting major structure criteria.</p>

**RECOMMENDATIONS AND ITEMS REQUIRING ACTION BY OWNER  
TO IMPROVE THE SAFETY OF THE DAM**

**MAINTENANCE**

Mow: \_\_\_\_\_

Exercise

Gate: \_\_\_\_\_

**MINOR REPAIR – MONITORING - PREPAREDNESS**

Clear Trees and/or Brush

From: \_\_\_\_\_

Remove Debris from Spillway

Inlet: \_\_\_\_\_

Repair and Stabilize Eroded

Areas: \_\_\_\_\_

Initiate Rodent Control Program and Properly Backfill Existing

Holes: \_\_\_\_\_

Repair: \_\_\_\_\_

Monitor: \_\_\_\_\_

Other: \_\_\_\_\_

Other: \_\_\_\_\_

Other: \_\_\_\_\_

**ENGINEERING – EMPLOY AN ENGINEER EXPERIENCED IN DESIGN AND CONSTRUCTION OF DAMS TO:**

(Plans & Specifications must be approved by State prior to construction.)

Prepare Plans and Specifications for the Rehabilitation of the

Dam: \_\_\_\_\_

Prepare As-Built Drawings

of: \_\_\_\_\_

Perform a Geotechnical Investigation to Evaluate the Stability of the

Dam: \_\_\_\_\_

Perform a Hydrologic Study: \_\_\_\_\_

Perform a Structural Study to Evaluate the Condition of the

Concrete: \_\_\_\_\_

Prepare Plans and Specifications for an Adequate

Spillway: \_\_\_\_\_

Set up a Monitoring

Program: \_\_\_\_\_

Other: \_\_\_\_\_

Other: \_\_\_\_\_

**EMERGENCY ACTION PLAN**

Developed?  No  Date \_\_\_\_\_

Yes

Updated?  No  Date \_\_\_\_\_

Yes

Exercised?  No  Date \_\_\_\_\_

Yes