

**IOWA DEPARTMENT OF NATURAL RESOURCES
NATURAL RESOURCE COMMISSION
NOVEMBER 2009 – MEETING AGENDA**

Thursday		November 5, 2009		NRC MEETING AGENDA	
Meeting convenes at 10:00 am Public Comment Period begins at approximately 10:30am					
Meeting Location: Wallace Bldg – 4 th Floor Conference Rooms 502 E. 9 th Street, Des Moines, IA					
1	Oath of Office for New Commissioners				
2	Approve Agenda				
3	Approve Minutes of 10/08/09				
4	Director's Remarks				
5	Honey Creek Update				
6	Construction Projects				
	6.1	Meredith Marsh WRP, Hancock County – Replace and Add Drawdown Structures	Decision	Carried	
	6.2	Upper Iowa WMA, Winneshiek County – Coon Creek WMA, Lundy Bridge	Decision	Carried	
	6.3	Green Island WMA, Jackson County – 4 th Ditch Damage Repair	Decision	Carried	
7	Small Construction Projects Contracts			Information	N/A
8	Land Management Projects				
	8.1	Management Agreement, Pocahontas Co., Lizard Lake Access	Decision	Carried	
9	DNR Office of Realty Services, FY2009 Annual Report			Information	N/A
10	Hardwood Timber Sale French Creek Wildlife Area			Decision	Carried
11	Contract with the IDALS DSC for Conservation Reserve Program Landowner Incentive in Northeast Iowa			Decision	Carried
12	Contract with MSA Professional Services for Diagnostic and Feasibility Study of Blue Lake, Monona County, Iowa			Decision	Carried
13	Lost Grove Lake Update			Information	N/A
14	Chapter 13, Permits and Easements for Construction and Related Activities on Public Lands and Waters - NOIA			Decision	Carried
15	Chapter 54, Restriction on Removal of Plant Life - Notice of Intended Action			Decision	Carried
16	Coordinated Effort to Increase Effectiveness of the EWP			Decision	Carried
17	Contract with Inter-Fluve, Inc. for Littleton Dam Wapsipinicon River Restoration Project			Decision	Carried
18	Fish and Game Trust Fund Update			Information	N/A
19	2010 NRC Meeting Recommendations			Decision	Carried
20	Donations			Decision	Carried
21	General Discussion				
	Items for Next Meeting				
	Next Meetings: December 10, 2009 – Polk County				

MINUTES
OF THE
NATURAL RESOURCES COMMISSION
MEETING
NOVEMBER 5, 2009

IOWA DEPARTMENT OF NATURAL RESOURCES
502 E. 9TH STREET
DES MOINES, IA 50319

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MEETING MINUTES

CALL TO ORDER

The meeting of the Natural Resource Commission was called to order by the NRC Commission Chairperson, Gregory Drees on Thursday, November 5, 2009 at 10:02 a.m. He welcomed the public to the meeting and reviewed the public speaking forum guidelines. As well, he explained that due to the recent state budget cuts the NRC Commission would now be holding their monthly meetings in the Des Moines office as a cost savings measure.

COMMISSIONERS PRESENT

- Gregory Drees, Chairperson
- Richard (Kim) Francisco, Secretary
- Elizabeth Garst
- Tammi Kircher, Vice-Chairperson
- Dennis Schemmel
- Margo Underwood

COMMISSIONERS ABSENT

- Janelle Rettig

PUBLIC COMMENT

- None

1. OATH OF OFFICE OF NEW COMMISSIONERS

INFORMATIONAL ONLY

Director Leopold swore in the new Natural Resources Commissioners; Margo Underwood and Dennis Schemmel.

2. ADOPTION OF AGENDA

Moved – Commissioner Francisco
Seconded - Commissioner Kircher
Motion – Carried by Unanimous Vote

3. APPROVAL OF MINUTES OF 10/8/09

Moved – Commissioner Kircher
Seconded - Commissioner Garst
Motion – Carried by Unanimous Vote

4. DIRECTORS REMARKS

INFORMATIONAL ONLY

- Stars Cave – At the October 28th State Preserves Advisory Board meeting the Ecological Management Plan was approved however the proposed Flint River Trail Route motion failed with a split vote of 3 to 3. The proposed trail decision will now need to come back before the Natural Resource Commission for a decision, this will most likely happen in December.
- Budget Cuts – The department’s plan to cut 10% of it’s budget has now been approved by the Governor’s Office. While there will be many impacts to the agency; the below are specific to Parks:
 - Historically there have been 300 seasonal staff, at this time there will only be 32 seasonal staff for the 2010 summer season.
 - All 85 DNR managed state parks will defer all maintenance, except critical repairs on \$260 Million of infrastructure.
 - Continue to defer equipment replacement and major repairs to mowers, tractors, and hand tools.
 - Reduce ability to manage parks areas such as mowing, signage, and litter removal
 - Reduction or inability to provide resource management on prairies and woodlands, and invasive species control.
 - Close portions of parks that are not income-producing or high maintenance with low public use.
- Iowa Parks Foundation – Is in the process of sending out a request for qualifications to a communications research entity to develop a park system vision for 2020. This will lead to a more expansive strategic planning initiative related to Iowa parks. The Iowa Parks Foundation has been a great partner and it is hoped that together some of the above mentioned challenges can be overcome.
- Non-contract Employees – All non-contract employees must take 7 days of unpaid leave between November 27, 2009 and June 30, 2010. This will result in an approximate savings of \$350,000 while only \$75,000 of those dollars are from General Funds.
- Pharmaceutical collection and disposal pilot program – ‘TakeAway’ program launched this week.
- Deputy Director Boddy informed the commission that reason for Commissioner Rettig’s absence today was because she had been appointed to the Johnson County Board of Supervisors; who also meet on Thursdays. While Deputy Director Boddy commended Commissioner Rettig for her work on the Natural Resources Commission it is unknown at this time if Commissioner Rettig will be continuing on the Natural Resources Commission.

- Commission discussion of Director remarks:
 - Commissioner Francisco stated that he had received many emails in reference to budget cuts in state parks from individuals that would be willing to clean park public use areas when using these facilities.
 - Commissioner Garst suggested implementing communications to the public requesting volunteers for assistance in state parks.

5. HONEY CREEK RESORT STATE PARK UPDATE

INFORMATIONAL ONLY

- Consultant – Deputy Director Boddy updated the commission on the consultant Bill Koegler that had been hired to review the operations at Honey Creek State Park Resort. Mr. Koegler toured the facility and met with Central Group Companies, Inc. as well as resort staff on October 29-30. He will be preparing a report to share with the commission soon. Deputy Director Boddy proposed that after the regular NRC meeting in December the commission stay to go over the consultant report as well as new Proforma with Central Group Companies, Inc.
- Construction:
 - The dock redesign was rejected and are awaiting the third design.
 - Due to recent rain amounts the lake water level is up 3ft and because of this there will be at least a three week waiting period for water levels to drop before any additional construction may be done on the boat ramp or beach area.
- Construction Budget:
 - The DNR will be making bond payments both in December and in June and in order to do that the following actions have been taken:
 - The department went before the Iowa Values Fund Board and requested that the Iowa Values Fund dollars (\$900k) that had been earmarked for the department be allowed to be directed to Honey Creek State Park Resort of which \$750k be used for the December bond payment, \$80k to finish the beach area and the remaining balance to go to the activities center. The request was approved by the Iowa Values Fund Board and the contract to finalize is in route to the department.
 - Other contingency dollars from REAP that had not originally been planned to be utilized for Honey Creek State Park are now also needed.
- Commissioner Garst inquired about the unspent funds on the construction budget in relation to the resort art project. She asked if the department was obligated to spend those dollars for that. Deputy Director Boddy explained that the department was obligated to use those funds for the art project. Michelle Wilson further explained that the artist would be returning soon to Honey Creek State Park Resort to complete all of the art elements.

- Commissioner Garst asked what the timeline was for completion of all construction projects listed on the construction budget. Michelle Wilson explained that most of the projects should be completed within the month if not sooner. Some projects have been delayed due to weather. While others such as the golf course and golf building have been tied up in legal issues due to the contractor on those projects declaring bankruptcy. At the lodge there are still some warranty items that are outstanding but expected to be complete within a month.
- Commissioner Garst asked that the balance sheet be modified to include all assets and all debts of the project.
- Jennifer Nelson, Budget & Finance Bureau Chief explained that what Commissioner Garst was requesting would be an internal document and that the current balance sheet was a document produced by Central Group Companies, Inc. she agreed to develop something hopefully by the December NRC meeting for commission review.
- Commissioner Garst commented that by the current financial documents that the resort operations are improving but wonders about continuing to finance the golf course if it is not profitable.
- Activities Center – The solar house from Iowa State University has been delivered however on the advice of the student engineers that built the unit it will stay packaged on site at the resort until spring when it can be placed on its permanent foundation.
- Commissioner Francisco commented that he had been thinking about what other income opportunities there could be on the golf course and asked if there was any policy against goose or turkey hunting on the golf course early in the mornings. He acknowledged there would have to be a great deal of planning and thought put in to developing such a program. Deputy Director Boddy said that in discussions with the consultant Bill Keogler he had suggested a possible bird watching program.
- Michelle Wilson supplied the commission with a copy of the activities calendar created by Central Group Companies, Inc.

6. CONSTRUCTION PROJECTS

6.1 MEREDITH MARSH WRP, HANCOCK COUNTY – REPLACE AND ADD DRAWDOWN STRUCTURES

This project consists of the removal and replacement of two water control structures, the installation of new inlet structures and polyethylene tubing, and incidental work as required by the Plans and the DNR Construction Inspector. This will replace the current drawdown system that is failing.

This project was designed by Dave Rohlf and will be inspected by Richard Wilson, District Inspector. DNR estimate is \$54,450. Funding source is Fish and Wildlife Trust-Fisheries Non-Habitat Stamp Waterfowl Stamp Fee (FY10 Capital Link #35). 4 sets of plans were issued. 2 bids were received.

Lund Construction	Eagle Grove, IA	\$50,750.00
Rognes Brothers Excavating Co.	Lake Mills, IA	\$104,499.50

Staff recommends the acceptance of the low bidder, Lund Construction.

Moved – Commissioner Kircher
Seconded - Commissioner Francisco
Discussion – None
Motion – Carried by Unanimous Vote

6.2 UPPER IOWA WMA, WINNESHIEK COUNTY – COON CREEK WMA, LUNDY BRIDGE

This project consists of streambank repair and placement of revetment, earthfill dike reconstruction, and incidental work as required by the Plans and the DNR Construction Inspector. The designed streambank reconstruction and riprap revetment is to protect the site from future flood damage, as well as reconstruction of an earthfill berm site to pre-flood conditions.

This project was designed by Ken Jackson, DNR Engineer, and will be inspected by Mel Pacovsky, District Inspector. DNR estimate is \$128,168. Funding source is FEMA and FY09 Supp. (FY10 Capital Link #52). 10 sets of plans were issued. 9 bids were received. 1 bid was disqualified as no bid bond was received. 1 bid was disqualified as line item #8 was not included.

Riehm Construction Co.	Waukon, IA	\$51,002.75
Cole Excavating	Green, IA	\$65,165.35
Reilly Construction	Ossian, IA	\$68,394.00
JB Holland Construction	Decorah, IA	\$75,295.53
Tschigffrie Excavating Co.	Dubuque, IA	\$81,216.55
Lansing Brothers Construction Co. Inc.	Luxemburg, IA	\$81,317.00
CJ Moyna & Sons Inc.	Cedar Rapids, IA	\$107,875.00

Staff recommends the acceptance of the low bidder, Riehm Construction Co.

Moved – Commissioner Francisco
Seconded - Commissioner Underwood
Discussion – Commissioner Francisco asked if the dike was being built to be more flood resistant. Don Labate explained that FEMA is allowing for mitigation dollars to be spent on projects that have had multiple flooding. However this requires additional review by FEMA. Commissioner Underwood asked about the timeline to begin work on the project. Don Labate explained when the project is brought before the commission for approval the project can start as soon as the next day pending NRC approval.
Motion – Carried by Unanimous Vote

6.3 GREEN ISLAND WMA, JACKSON COUNTY – 4TH DITCH DAMAGE REPAIR

This project consists of removal of silt in several locations, repair to dikes at several sites, placement of riprap revetment adjacent to an existing dike to reduce future flood damage, repair/replacement of four CMP culverts and incidental work as required by the Plans and the DNR Construction Inspector. The design includes repairs to four water control structures, several locations along existing dikes, and riprap revetment to repair the dikes to pre-flood condition and protect the sites from future flood damage.

This project was designed by Ken Jackson, DNR Engineer, and will be inspected by Dave Heer, District Inspector. DNR estimate is \$204,144. Funding source is FEMA and FY09 Supp. (FY10 Capital Link #52). 16 sets of plans were issued. 15 bids were received.

Ardo Schmidt Construction Inc.	Preston, IA	\$77,626.88
S2 Construction LLC	Bellevue, IA	\$83,221.74
Dolan Excavating LLC	Manchester, IA	\$84,029.75
BWC Excavating LC	Solon, IA	\$84,500.36
Connolly Construction Inc.	Peosta, IA	\$101,690.60
Steger Construction Inc.	Dyersville, IA	\$111,625.17
Mainline Excavating Co. Inc.	Dubuque, IA	\$115,376.50
Top Grade Excavating	Epworth, IA	\$116,954.38
Eastern Iowa Excavating/Concrete	Cascade, IA	\$121,556.75
JB Holland Construction	Decorah, IA	\$134,614.16
Tschigffrie Excavating Co.	Dubuque, IA	\$155,380.45
Legacy Corporation	Port Byron, IL	\$162,706.40
CJ Moyna & Sons Inc.	Elkader, IA	\$189,477.00
Taylor Construction Inc.	New Vienna, IA	\$210,263.00
Peterson Contractors Inc.	Reinbeck, IA	\$307,320.00

Staff recommends the acceptance of the low bidder, Ardo Schmidt Construction Inc.

Moved – Commissioner Kircher
Seconded - Commissioner Schemmel
Discussion – Commissioner Drees asked what CMP culverts meant. Don Labate said CMP meant Corrugated Metal Pipe.
Motion – Carried by Unanimous Vote

7. SMALL CONSTRUCTION PROJECTS CONTRACTS

INFORMATIONAL ONLY

The following projects have been let utilizing the Competitive Quotation process for projects \$100,000 or less:

BID DATE	PROJECT	COUNTY	AREA	DESCRIPTION	ESTIMATE	BIDS
9/17/09	09-01-30-03	Dickinson	Cayler Prairie Wetland Complex	Jensen Wetland Restoration	\$14,000.00	\$8,556.65
						\$16,978.00
						\$17,108.00
						\$17,560.80
9/17/09	09-05-59-04	Lucas	Rathbun WMA, Greenville Marsh	Rock Access Roads and Parking	\$36,902.00	\$15,130.00
						\$15,858.25
						\$23,320.56
9/24/09	10-05-93-02	Wayne	Rathbun WMA, Coffey Marsh	Rock Access and Armor Outlet	\$37,155.00	\$22,466.51
						\$22,834.00
						\$31,226.00
9/24/09	09-05-54-02	Keokuk	Highway 21 Access	Rock Parking Area	\$13,185.00	\$2,821.00
						\$3,081.40
						\$4,123.00
						\$4,719.75
10/1/09	09-06-70-06	Muscatine	Wildcat Den	Grist Mill Siding Repair	\$40,000.00	\$35,157.95
						\$50,011.98
10/1/09	09-03-09-02	Bremer	Sauerbrei WRP, Sweet Marsh WM	Excavating four wetland basins	\$48,500.00	\$31,833.00
						\$47,274.40
						\$50,343.00
						\$63,663.50
						\$66,385.00
10/8/09	09-01-72-01	Osceola	Iowa Lake	Repair Boat Ramp	\$6,100.00	\$3,732.00
						\$5,895.00
						\$6,999.96
						\$34,665.00
10/8/09	10-01-81-03	Sac	Burrows Ponds	Water Control Structures	\$22,000.00	\$29,753.50
						\$36,422.00
10/8/09	09-06-70-08	Muscatine	Fairport State Recreation Area	Septic System Replacement	\$40,000.00	\$38,747.00
						\$41,643.70
10/8/09	09-03-03-07	Allamakee	BlackHawk Point WMA	Boat Ramp Repair	\$12,000.00	\$10,570.00
						\$13,335.99
10/8/09	10-03-96-04	Winneshiek	Coldwater Creek WMA	Upper/Lower Parking Lot Repair	\$20,000.00	\$11,560.00
						\$12,510.00
						\$15,115.00
						\$15,620.00

8. LAND ACQUISITION PROJECTS

8.1 MANAGEMENT AGREEMENT, POCAHONTAS CO., LIZARD LAKE ACCESS

The Natural Resource Commission is requested to approve a management agreement with the Pocahontas County Conservation Board to manage Lizard Lake Access through December 31, 2059.

Lizard Lake is a 268-acre sovereign lake located approximately nine miles southeast of the city of Pocahontas. Lizard Lake Access is a 67.4-acre area acquired by the state in 1961-63. The majority of the area is located adjacent to the eastern shore of the lake and fifteen acres located at two sites on the western shore. The area is managed primarily as a facility for hunting and fishing. Four campsites with electricity and a picnic shelter are provided.

The Pocahontas County Conservation Board has managed the area since 1966. The existing management agreement expires in 2020. The Board proposes to provide significant additional development on the area. In consideration of their investment has requested extension of their management agreement until 2059. This new agreement will replace the existing agreement and utilize the DNR's current management agreement form. The DNR will continue to manage the lake itself.

Moved – Commissioner Francisco

Seconded - Commissioner Kircher

Discussion – Commissioner Francisco asked if this was part of the shallow lakes management program. Travis Baker explained that it was. Director Leopold further explained the controversy behind the project. Commissioner Drees asked if there was public support after holding the public meetings. Director Leopold replied that it was about 50/50 in favor vs. opposed. Commissioner Underwood asked about the management form and wanted to know if it is the same form used with all counties conservation partnerships. Travis Baker explained that the management form used was a template and that he could provide examples of the form to the new commissioners.

Motion – Carried by Unanimous Vote

9. DNR OFFICE OF REALTY SERVICES, FY2009 ANNUAL REPORT

INFORMATIONAL ONLY

The second installment of the Office of Realty Services Annual Report was recently completed. A copy of this report was delivered to the Natural Resource Commission at the October meeting. This report is available on the internet at the following address:
<http://www.iowadnr.gov/realty/report.html>.

The report includes FY09 Realty activity such as:

- NRC approved property rights acquisition projects
- DNR public land inventory
- DNR property tax information
- DNR agricultural land leasing program
- DNR conservation easement program

DNR staff will be available to discuss the contents of this report and answer questions that arise.

10. HARDWOOD TIMBER SALE FRENCH CREEK WILDLIFE AREA

The Natural Resource Commission is asked to approve the sale of an estimated 98,340 board feet of mixed hardwood trees at the French Creek Wildlife Area. The sale consists of 1,094 trees.

SPECIES	NUMBER of TREES	AV. BD. FT./TREE	EST. BD. FT.
Red, Black Oak	351	134	46,910
White, Bur Oak	172	118	20,340
White Elm	31	109	3,390
Red Elm	24	112	2,690
Basswood	48	143	6,880
Butternut	1	110	110
Cottonwood/Aspen	37	182	6,750
Ash	1	140	140
Cherry	11	87	960
Hickory	52	100	5,180
Hackberry	1	90	90
Walnut	41	120	4,900
Culls	324		
Totals	1,094		98,340

The harvests will accomplish 23 acres of early successional habitat, 8 acres of clearcuts which will be re-planted, and 8 acres of shelterwood harvest to naturally regenerate oak and walnut. . . These management practices are in accordance with the French Creek Forest Stewardship Plan, approved January, 2007. The harvesting is being conducted specifically to improve habitat for game and non-game wildlife species including: ruffed grouse, woodcock, deer, turkey, warblers, and eastern towhee.

A natural areas inventory was conducted, and there are no known threatened and endangered species in the harvest area. Wildlife den trees will not be marked and will be left standing. Best management practices (BMP’s) will apply to the site. No tops or harvesting residue will be left in adjacent waterways. Harvesting is to occur only when ground is firm or frozen to minimize soil disturbance. Skid trails and landing areas will be repaired following the harvest. No skid trails will be allowed in the SMA (within 50 feet of the adjacent waterway) except at designated stream crossings.

The following bids were received for the sale:

Company	Location	Amount of Bid
Dan Jones Logging	Waterville, IA	\$34,772.00
Jones Wood Heating and Logging	McGregor, IA	\$32,440.00
Konkel Forest Products	New Albin, IA	\$27,419.00
Charles Downs	Fayette, IA	\$30,110.00
Sitco, LLC	Dubuque, IA	\$15,561.00

The Commission is requested to approve a contract with the high bidder, Dan Jones Logging for \$34,772.00

Moved – Commissioner Francisco
Seconded – Commissioner Garst
Discussion – None
Motion – Carried by Unanimous Vote

11. CONTRACT WITH THE IDALS DSC FOR CONSERVATION RESERVE PROGRAM LANDOWNER INCENTIVE IN NORTHEAST IOWA

Commission approval is requested for a two year-service contract with the Iowa Department of Agriculture & Land Stewardship Division of Soil Conservation (IDALS, DSC) of Des Moines, Iowa. The contract will begin on November 13, 2009 and terminate on November 13, 2011. The total amount of this contract shall not exceed \$475,000. DNR shall have the option to renew this contract as long as this contract and any extensions do not exceed a six-year period.

This contract allows for the distribution of I-JOBS funding to private landowners in Allamakee, Chickasaw Clayton, Fayette and Winneshiek counties through IDALS, DSC. I-JOBS funding will be used to provide an incentive to private landowners to enroll in the following Continuous Conservation Reserve Program tree practices: Bottomland Hardwoods (CP31), Forested Riparian Buffers (CP22) and Establishment of Early Successional Habitat (CP38). The I-JOBS incentive payment will be \$351.50/acre and DSC will provide an incentive of \$148.50/acre for a total landowner sign-up incentive of \$500/acre.

The initial and primary focus areas of this project are the Upper Iowa, Turkey and Yellow River watersheds. These watersheds were selected to complement the Natural Resources Conservation Service Emergency Watershed Program and to provide opportunity to protect coldwater streams. IDALS, DSC has committed an additional \$200,000 to accompany the I-JOBS funding. The goal of this project is to create and sustain jobs and to provide incentives to landowners to enroll in CRP and remove sensitive environmental areas from annual crop production.

The parties propose to enter into this Contract for the purpose of retaining the Contractor to provide payment of I-JOBS incentive money to individual participants. DSC was chosen to partner in the project because through the Soil and Water Conservation District offices they have an existing infrastructure to make payment to private landowners. Utilization of this infrastructure streamlines the sign-up process for landowners and the paperwork flow for the Department of Natural Resources.

<p>Moved – Commissioner Garst Seconded - Commissioner Francisco Discussion – None Motion – Carried by Unanimous Vote</p>
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12. CONTRACT WITH MSA PROFESSIONAL SERVICES FOR DIAGNOSTIC AND FEASIBILITY STUDY OF BLUE LAKE, MONONA COUNTY, IOWA

Commission approval is requested for an 18-month service contract with MSA Professional Services of Ankeny, Iowa. The total amount of this contract shall not exceed \$203,527. DNR shall have the option to renew this contract as long as this contract and any extensions do not exceed a six-year period. This contract will be funded through the Lakes Restoration Program established under Iowa Code Section 456A.33B.

Blue Lake is a Missouri River oxbow lake located in western Monona County three miles west of Onawa and three miles east of the Missouri River. The lake was an active channel of the Missouri River in 1804 when the Lewis and Clark expedition went through the area. The lake shoreline is now part of Lewis and Clark State Park. Blue Lake is impaired by excessive growth of algae, a lack of clarity caused by this algal growth, and non-algal turbidity. These problems combine to reduce the recreational use of the lake.

The parties propose to enter into this contract for the purpose of retaining the contractor to provide a diagnostic feasibility study and implementation plan for Blue Lake, Monona County, as part of the Department of Natural Resources (DNR) Lake Restoration activities. The DNR intends to utilize the information gathered and analyzed in this Contract to manage this natural resource and allocate lake restoration funds most appropriately; use information gathered on sources of pollution in the watershed and loading calculations to develop a water quality improvement plan for Blue Lake; and provide support information for watershed planning. Blue Lake is one of the 35 significant public lakes prioritized for restoration. Lake Restoration Program guidelines recommend the Department give priority for funding to active lake projects when progress toward completion of the project remains consistent with the goals of the program. MSA Professional Services was selected due to their work plan, proposed timeline, qualifications, and experience.

<p>Moved – Commissioner Kircher Seconded - Commissioner Francisco Discussion – None Motion – Carried by Unanimous Vote</p>

13. LOST GROVE LAKE UPDATE

INFORMATIONAL ONLY

Staff will present an update to the Commission on Lost Grove Lake. The Lost Grove Lake recreation site was selected in 1987. Land acquisition from willing sellers began in 1988 and was completed in 2003. A total of 1,710 acres of land was purchased utilizing 75% federal funds and 25% DNR Trust Funds for the purpose of building a 350 surface acre lake. Working with the Scott County Soil and Watershed District a watershed assessment was completed, followed by implementation of water quality improvement projects on both state and private lands.

The dam is in the final design and review phase and this project will be ready to bid in January of 2010, with construction slated for spring of 2010. This lake site is located 10 miles north of Davenport, Iowa, and will produce much needed public fishing opportunities for the area's 400,000 residents. The lake and surrounding public land will also support outdoor activities such as hunting, wildlife viewing, boating, and hiking. While a campground is not proposed at this, there is land that could be incorporated for development of a local or county supported campground.

14. CHAPTER 13, PERMITS AND EASEMENTS FOR CONSTRUCTION AND RELATED ACTIVITIES ON PUBLIC LANDS AND WATERS - NOIA

The Commission is requested to approve this Notice of Intended Action to amend Chapter 13, Permits and Easements for Construction and Related Activities on Public Lands and Waters. Chapter 13 establishes procedures and guidelines for issuance of permits for construction and other activities on lands and waters under the jurisdiction of the natural resource commission.

The proposed amendments add the transport of aquatic nuisance species to a list of activities the department will not permit under this chapter and clarify that projects involving the introduction and removal of aquatic vegetation are regulated by Chapter 54.

Moved – Commissioner Kircher
Seconded - Commissioner Francisco
Discussion – None
Motion – Carried by Unanimous Vote

15. CHAPTER 54, RESTRICTION ON REMOVAL OF PLANT LIFE - NOTICE OF INTENDED ACTION

The Commission is requested to approve this Notice of Intended Action to amend Chapter 54, Restriction on Removal of Plant Life. Chapter 54 establishes a means for the Department to permit the introduction of aquatic plant species in public waters as defined in NRC Rule 13.2 for the purpose of enhancing water quality and aquatic habitats and the removal of aquatic plants from public waters for the purpose of establishing a designated travel lane from a boat dock to open water. Amendment changes also delete language to the taking of American ginseng and references the taking as established in chapter 78.

Moved – Commissioner Francisco
Seconded - Commissioner Underwood
Discussion – Commissioner Garst asked about possible implementation of permit fees. Diane Ford explained that many of the permits are to other fellow agencies such as the Army Corps of Engineers. Outside of those permits there are only approximately 200 others per year so any income from permit fees would very minimal.
Motion – Carried by Unanimous Vote

16. COORDINATED EFFORT TO INCREASE EFFECTIVENESS OF THE EWP

The Commission is requested to approve acquisition of multiple properties as part of a coordinated effort to improve the effectiveness of federal perpetual floodplain easement programs. These easement programs are designed to assist in flood recovery efforts, mitigate damages from future flood events, and to improve water quality and wildlife habitat in areas most impacted by the 2008 flood event. This effort is modeled after a successful program implemented after the 1993 flood which included development of the Iowa River Corridor and Horseshoe Bend National Wildlife Refuge. These chronically flooding areas have been identified in the Iowa Wildlife Action Plan as having some of the greatest opportunities for conserving wildlife populations of concern, and this initiative represents a significant step forward in meeting the wildlife conservation goals of the Plan.

DNR has received \$5 million to assist flood affected landowners in enrolling their lands in federal easement programs. Specifically, these funds are for acquisition of permanent easement lands at residual values in order to assist landowners in shifting their farming operations to less flood-prone areas. Landowners, whose enrollment in a federal easement program is conditional on subsequent sale of the property, are seeking binding agreements for subsequent sale prior to signing enrollment forms. Easement offers are occurring now, and landowners are only given a few weeks to opt in or out of the program. DNR must adhere to state and federal land acquisition procedures which preclude working on such short time frames. DNR has requested assistance from the Iowa Natural Heritage Foundation (INHF) to immediately negotiate purchase agreements with landowners and purchase those lands in 2010 after the federal easements have been perfected. As a result, INHF will have binding agreements on up to 50 properties involving 5,000 acres and an investment of \$5 million dollars by the end of the current calendar year. INHF will acquire these parcels in 2010 subject to perfection of the easements. IDNR and INHF staff worked together to identify priority focus areas along specific river corridors including the Wapsipinicon River, Turkey River, Upper Iowa River and the lower Iowa and Cedar Rivers. Sites were prioritized based on their proximity to existing public lands and their significance in creating larger complexes of public land.

Because of the number of projects and because DNR is coordinating with multiple agencies and funding sources to complete these acquisition within the next 18 months, DNR is requesting authorization to acquire up to 5,000 acres and expend up to \$5 million on these properties. DNR will begin ordering appraisals and performing other activities in order to subsequently purchase these parcels in accordance with all state and federal land acquisition procedures. This authorization will expedite state acquisition efforts thereby reducing land holding costs incurred by INHF and allowing DNR to apply a greater amount of the funding toward on the ground flood recovery and water quality improvement projects.

Moved – Commissioner Francisco

Seconded - Commissioner Underwood

Discussion – Commissioner Garst asked if the legal department has reviewed and approved.

Todd Bishop explained that the legal department had guided them through the process procedure. Deputy Director Boddy explained that all future acquisition requests of this nature would be presented to the commission as a decision item. Commissioner Francisco asked how the recent budget cuts effect future restoration efforts. Todd Bishop explained that the program does have an allowed budget provided by the USDA for restoration.

Motion – Carried by Unanimous Vote

17. CONTRACT WITH INTER-FLUVE, INC. FOR LITTLETON DAM WAPSIPINICON RIVER RESTORATION PROJECT

The Commission is requested to approve a 1-year-service contract with Inter-Fluve, Inc. of Madison, WI. The contract will begin on November 6, 2009, and terminate on November 6, 2010. The total amount of this contract shall not exceed \$121,715. DNR shall have the option to renew this contract as long as this contract and any extensions do not exceed a six-year period. This contract will be half funded through the \$13.5 million I-JOBS appropriation, matched dollar for dollar with US Fish and Wildlife Service Fish Passage Funds.

This project will occur on a conservation/public access easement along the Wapsipinicon River in a Protected Water Area at Littleton Iowa. Over the years since the Iowa Conservation Commission constructed the dam with WPA forces in the 1936, seven drownings have been documented. The site is a popular angling area and the Buchanan County portion of the Wapsipinicon River has been dedicated as a water trail including a portage trail around the dam. Further improvements in the form of fish passage and safety are warranted.

The parties propose to enter into this contract to provide design and engineering services to either modify or remove a dam at a complex site. The main goals are safety, biological connectivity, and improving a public recreational area. This project will eliminate the recirculation hazard at a dam and will biologically connect the Wapsipinicon River's fish and mussel species, including aid to an eventual Higgin's eye mussel restoration, granting upriver access to 135 additional miles of major streams for all aquatic species present. Several challenges need to be met, including numerous homes and cabins nearby with private wells and the potential for protecting other public infrastructure (county road bridge, under-river utilities). Inter-Fluve, Inc., was chosen for their experience, technical proposal, and cost using a competitive RFP process.

Moved – Commissioner Kircher

Seconded - Commissioner Garst

Discussion – Commissioner Underwood asked about the plan for obtaining public input. Nate Hoogeveen explained that public meetings would be held along the way.

Motion – Carried by Unanimous Vote

18. FISH AND GAME TRUST FUND UPDATE

INFORMATIONAL ONLY

Staff will provide a presentation on the current status of the Fish and Game Trust Fund, including the expected impact from the 2009 legislation and short-term projections for the fund.

19. 2010 NRC MEETING DATE RECOMMENDATIONS

The Natural Resources Commission is requested to approve the following 2010 meeting recommendations:

MONTH	NRC MEETING DATE	MEETING LOCATION
JANUARY	01/14/10, Thursday	Polk
FEBRUARY	02/11/10, Thursday	Polk
MARCH	03/11/10, Thursday	Polk
APRIL	04/08/10, Thursday	Polk
MAY	05/13/10, Thursday	Polk
JUNE	06/10/10, Thursday	Polk
JULY	07/08/10, Thursday	Polk
AUGUST	08/12/10, Thursday	Polk
SEPTEMBER	09/09/10, Thursday	Polk
OCTOBER	10/14/10, Thursday	Polk
NOVEMBER	*11/10/10, Wednesday (11/11/10, Thursday– Veteran’s Day)	Polk
DECEMBER	12/09/10, Thursday	Polk

Moved – Commissioner Francisco
Seconded - Commissioner Underwood
Discussion – Commissioner Francisco commented that he had understood one of the largest expenses incurred had been that of staff who traveled with the commission on tours/meetings around the state. Deputy Director Boddy explained that the budget used only covered the commission and a very few staff members from the Director’s Office it did not take into account for any staff outside of that. It is hoped that by moving the NRC meetings to Des Moines and not incurring overnight expenses would allow for at least one or two tour/presentation days for the commission in 2010. Commissioner Kircher asked if there are any plans to hold a joint EPC/NRC meeting in January after the Legislative Breakfast. Deputy Director Boddy explained that in January it was proposed to hold a joint commission meeting following the Legislative Breakfast on January 20th and move the regularly scheduled NRC meeting to January 21st this would alleviate extra travel for commissioners. Commissioner Drees and Commissioner Kircher advised that they would both be absent from the events the week of January 20th as they both have scheduled vacations. It was decided that anyone that could attend the Legislative Breakfast would but that it was not mandatory.
Motion – Carried by Unanimous Vote

20. DONATIONS

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

Donation to:	Amount	Description	Donation Provided by (Name/Org):
IA DNR	\$100.00	contribution toward recreational sites	David Duncan
Hunter Ed Program	\$150.00	one Savage Mark I .22 caliber bold action rifle for the Hunter Education Program	Bill Sterner
Hunter Ed Program	\$150.00	one Savage Mark I .22 caliber bold action rifle for the Hunter Education Program	Kathy Hundoble
Hunter Ed Program	\$150.00	one Savage Mark I .22 caliber bold action rifle for the Hunter Education Program	Warren Bishop
IA DNR	\$200.00	memorial contribution for Doug Creason toward fishing jetty repair at Big Creek	Tracy Creason
Lake Macbride State Park	\$225.00	labor and materials to Lake Macbride State Park to professionally mount a barred owl specimen	Tim Kleinmeyer
Hunter Ed Program	\$300.00	two Savage Mark I .22 caliber bold action rifles for the Hunter Education Program	Larry and Cathy Orr
Wapsipinicon State Park	\$550.00	use of a tracked Bobcat skid loader for work in the playground area of Wapsipinicon State Park	Jeff and Jerry Rogers Rogers Concrete Construction
Lake Macbride State Park	\$1,000.00	funding for park improvements at Lake Macbride State Park	Solon Beef Days Committee
Mines of Spain Rec Area	\$1,255.67	Scout project that provided labor and materials to construct stone frames for entrance and trailhead signs at Mines of Spain Recreation Area	Brandon Maxwell
Bellevue State Park	\$2,000.00	large double sided interpretive message center for the butterfly garden at Bellevue State Park	Eric Flatjord
Lake Macbride State Park	\$8,000.00	funding for park improvements at Lake Macbride State Park	Solon-Andreas Foundation

Moved – Commissioner Kircher

Seconded - Commissioner Schemmel

Discussion – None

Motion – Carried by Unanimous Vote

21. GENERAL DISCUSSION

- Commissioner Garst –
 - Received a second letter from Joe Carpenter in reference to houseboats at Ellis Park and she would like to see an item presented to the commission to update them in reference to this subject.
 - Legislative Priorities – would like to have opportunity to discuss legislative priorities prior to the new session in January.
- Commissioner Schemmel – none
- Commissioner Kircher –
 - Request John Pearson to present info to the Stars Cave commission
 - Attended her local REAP Meeting
- Commissioner Drees –
 - Would like to see the commissioners be a little more proactive on the agenda items and bring ideas to the table
- Commissioner Underwood –
 - Also attended her local REAP meeting and was elected as an official
- Commissioner Francisco –
 - Explained Golden Dome Award the IDNR Kaizan Committee, The DOEminators had received.

NEXT MEETING DATES

- December 10, 2009 – Polk County

ADJOURNMENT

With no further business to come before the Natural Resources Commission, Chairperson Gregory Drees adjourned the meeting at 3:23 p.m., on November 5, 2009.

<p>Moved – Commissioner Kircher Seconded - Commissioner Garst Motion – Carried by Unanimous Vote</p>

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