

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

NRC TELECONFERENCE Business Meeting – Tuesday, March 17, 2020

Meeting convenes at 8:30am

Teleconference Origination Location: Iowa DNR, 502 E 9th St, 4th Floor Conference Rm, Des Moines, IA

Public Teleconference Call-In Instructions:

A few minutes prior to the meeting time, **call 1-866-685-1580**

When prompted, enter **conference code 5152817122** followed by the # key; you will then be connected to the conference call.

Public Participation begins at approximately 9:00am

1.	Approval of Agenda	Decision	Commission
	Consent Agenda (<i>*within agenda indicates proposed consent agenda item</i>) *6. Contract Amendment-4 with Northwoods Forestry, Inc. *7. Timber Sale Contract with Jones Wood Heating and Logging LLC for French Creek Wildlife Management Area *11. Contract with Des Moines Blue Print Company/Beeline and Blue *12. Public Land Management Project: Chapter 18 Lease Correction, Fidelity Properties, Ltd – Dickinson County		
2.	Approve Minutes of 02/13/20 NRC Public Meeting	Decision	Commission
3.	Director's Remarks	Information	Kayla Lyon
4.	Division Administrator's Remarks	Information	Dale Garner
5.	Donations	Decision	Dale Garner
*6.	Contract Amendment-4 with Northwoods Forestry, Inc.	Decision	Jeff Goerndt
*7.	Timber Sale Contract with Jones Wood Heating and Logging LLC for French Creek Wildlife Management Area	Decision	Jeff Goerndt
8.	Chapter 35, Fish Habitat Promotion for County Conservation Board Grant Recommendations	Decision	Joe Larscheid
9.	Contract with HDR Engineering Inc.	Decision	Joe Larscheid
10.	Contract with Ducks Unlimited, Inc.	Decision	Travis Baker
*11.	Contract Amendment-3 with Des Moines Blue Print Company/Beeline and Blue	Decision	Travis Baker
*12.	Public Land Management Project: Chapter 18 Lease Correction, Fidelity Properties, Ltd – Dickinson County	Decision	Travis Baker
13.	Public Land Acquisition Projects		
13.1	Bloody Run Creek WMA, Clayton County – The Iowa Natural Heritage Foundation	Decision	Travis Baker
13.2	Mitchell Marsh WMA, Union County – The Iowa Natural Heritage Foundation	Decision	Travis Baker
14.	Construction – Small Projects	Information	Travis Baker
15.	Chapter 98, "Wild Turkey Spring Hunting" and Chapter 99, "Wild Turkey Fall Hunting" – Notice of Intended Action	Decision	Todd Bishop
16.	Chapter 106, "Deer Hunting by Residents" – Notice of Intended Action	Decision	Todd Bishop
17.	Chapter 108, "Mink, Muskrat, Raccoon, Badger, Opossum, Weasel, Striped Skunk, Fox (Red and Gray), Beaver, Coyote, River Otter, Bobcat, Gray (Timber) Wolf and Spotted Skunk Seasons" - Notice of Intended Action	Decision	Todd Bishop
18.	General Discussion		
Upcoming NRC Meeting Dates:			
<ul style="list-style-type: none"> • Thu, 04/09/20, 9:30am, Business Meeting: IA DNR, 502 E 9th St, Des Moines, IA • Thu, 05/14/20, 9:30am, Business Meeting: IA DNR, 502 E 9th St, Des Moines, IA • Wed, 06/10/20, 12:30pm, Business Meeting: Location TBD (Delaware/Buchanan Counties) • Thu, 06/11/20, 8:00am, Field Tour: Location TBD (Delaware/Buchanan Counties) 			

For details on the NRC meeting schedule, visit:

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

Comments during the public participation period regarding proposed rules or notices of intended action are not included in the official comments for that rule package unless they are submitted as required in the Notice of Intended Action.

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, and advise of specific needs.

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

Decision Item

5. Donations

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

Donation to:	Amount	Description	Donation Provided by:
Parks and Forestry	\$150.00	Funds to support Parks and Forestry	Kelsey Byus
Parks and Forestry	\$7.00	Funds to support Parks and Forestry	Michael Barrett
Parks and Forestry	\$150.00	Funds to support Parks and Forestry	Jamie Malone
Fish and Wildlife Trust Fund	\$25.00	Funds to support the Fish and Wildlife Trust Fund in memory of Grant Chamberlain.	Fred and Susan Jorgensen
Fish and Wildlife Trust Fund	\$50.00	Funds to support the Fish and Wildlife Trust Fund in memory of their friend, Raymond (Ray) Meyer.	Diane and Bruce Holmes
Waubonsie State Park	\$7,410.00	40-foot Shipping Container (\$2600), DR Brush Mower (\$2200), 8 Picnic Tables (\$320), 25 Gallon Fimco Sprayer (\$150), 50 Wood Fence Posts (\$1000), 11 Cedar Wood Posts (\$110), 50 Steel T-posts (\$250), 2 Fire Rings (\$50), Cultivator Disk (\$100), Cultivator Harrow (\$100), Woven Wire Fencing (\$150), Steel Farm Gates (\$240), Fabric Curtains for Gazebo (\$60), and Seed Spreader (\$80) to support the care and management of the State Park.	William Blackburn, c/o William Blackburn Consulting LTD
Red Haw State Park	\$400.00	To purchase trees for the park as a living memorial for Leslie W. Walker	LeAnn Walker
Wildlife Diversity Program	\$50.00	Funds to support the conservation of non-game species.	Michael Stepanowski
Lake Darling State Park	\$2,203.59	10 – 6 foot rectangular tables	Stacie Lowe, President Friends of Lake Darling
Lake Macbride State Park	\$2,485.98	1 heavy duty leaf vacuum	Community Foundation of Johnson County
Gull Point Complex	\$100.00	One 19"x26" non-framed color photograph of the Mini Wakan lodge before renovation.	Rick Maehl
Gull Point Complex	\$375.00	One 6"x18.5" non-framed wide angle color photograph of Mini Wakan after renovation (\$100) and one 20"x16" framed color photograph of the Gull Point Swing (\$275)	Gary Gunderson
Lacey-Keosauqua State Park	\$65.00	Welding labor and materials to repair bracket on mower deck	David McQuoid, McQuoid Welding
Wildlife Diversity Program	\$100.00	Funds to support the conservation of non-game species.	Marilyn Staples
Pine Lake State Park	\$600.00	Don, who has been valuable as a Friends Group member, volunteer, and former DNR employee, donated the following good condition used equipment to continue his support of Pine Lake State Park even after his moving away: circular saw, jigsaw, electric chainsaw sharpener, ladder, floor jack, a number of hand saws and loppers (great for volunteers), shovels, toolboxes, work lights, and numerous small tools including hammers, screwdrivers, crowbars.	Don Hirt

Dale Garner, Division Administrator
Conservation and Recreation Division
March 17, 2020

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

Decision Item (**indicates proposed consent*)

***6. Contract Amendment-4 with Northwoods Forestry, Inc.**

Commission approval is requested for a contract amendment with Northwoods Forestry, Inc., of Eleva, Wisconsin.

Amendment- 4 Terms:

Amendment Amount: Not to exceed \$90,000

Amendment Dates: 3/17/2020 to 3/17/2021

Funding Source(s): State Forest Nursery Sales

Amendment Purpose: To extend manual labor services, as outlined in the original contract, through March 16, 2021. In 2019, Northwoods served when called to assist with lifting and grading to meet shipping deadlines with their usual outstanding speed and accuracy, as well as assisting with weeding during the growing season.

Original Contract Purpose: To provide manual labor for weeding (removing weeds from the ground), lifting (removing seedlings from the ground) and grading/packaging (sorting, counting, packaging and sealing bags of bare root seedlings) according to standard operation procedures at DNR's State Forest Nursery (SFN).

Staff from Northwoods Forestry, Inc., travel nationally and specialize in providing labor for nurseries and other labor intensive agricultural services. In 2017, we contracted services with Northwoods Forestry, Inc., in order to achieve a higher yield and receive service that were more cost effective than the previous vendors. In addition to the time factor, the quality of work by Northwoods Forestry has also proven to be exceptional. During quality control checks, the accuracy of the counts and sizes of the seedlings being packaged was found to be higher than that of previous vendors, resulting in fewer complaints by customers.

Original Selection Process: In 2017, the DNR published a Request for Proposal (RFP) and reviewed bids for services requested. Northwoods Forestry, Inc., was awarded the bid due to cost, contractor's professional experience, performance record, letters of references, and the capacity of the contractor to complete responsibilities in the timeframe requested.

Contract History:

Original Contract Terms: Amount 60,000.00; Timeframe: 1/29/18 to 12/31/18

Amendment 1 Terms: Amount 60,000; Timeframe: 1/1/19 to 12/31/19

Amendment 2 Terms: Amount 24,000; Timeframe: 10/28/19 to 12/31/19

Amendment 3 Terms: Amount \$-0-; Timeframe: 12/30/19 to 12/31/20 (time extension only)

Jeff Goerndt, State Forester, Forestry Section
Conservation and Recreation Division
March 17, 2020

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

Decision Item (*indicate proposed consent)

***7. Timber Sale Contract with Jones Wood Heating and Logging LLC for French Creek Wildlife Management Area**

Commission approval is requested for a timber sale contract with Jones Wood Heating and Logging LLC of McGregor, IA, for French Creek Wildlife Management Area.

Contract Terms

Income: \$28,062

Dates: 3/17/20 to 3/17/22

Fund Deposited to: Fish and Wildlife Trust Fund

Contract Purpose: This contract will facilitate a hardwood timber harvest of an estimated 94,741 board feet in 615 mixed hardwood trees at Indian Bluffs Wildlife Management Area in Jones County. There are an additional 187 cull trees marked for harvest. Cull trees may be harvested, but are not included in the board foot volume of the sale. An even-aged management system will be used in accordance with the French Creek Forest Wildlife Stewardship Plan to allow sunlight to stimulate the growth of seedlings already present on the site. A natural areas inventory was conducted and there are no known threatened and endangered species in the harvest area. Harvesting and regenerating this stand will improve the overall health and vigor of the forest.

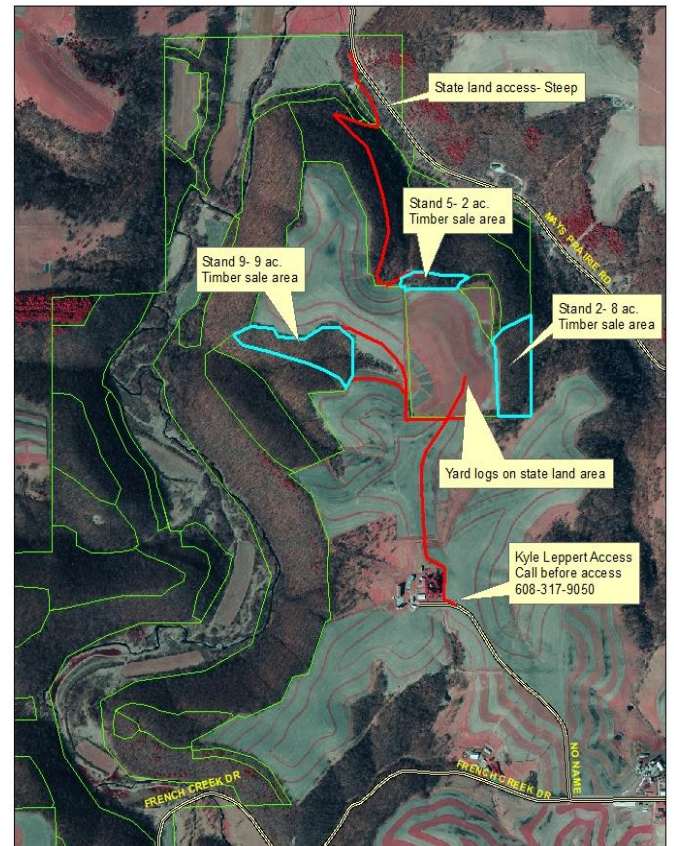
Wildlife den trees will be left standing. Iowa Forestry Best Management Practices will apply to the site. No tops or harvesting residue will be left in adjacent waterways. Harvesting is to occur only when ground is firm or frozen to minimize soil disturbance. Skid trails and landing areas will be repaired following the harvest. No skid trails will be allowed in the Stream Management Areas (within 50 feet of the adjacent waterway) except at designated stream crossings.

Selection Process Summary: An informal bid process was completed. To be qualified, a timber buyer must have on file with the State of Iowa a bond meeting the requirements of Section 456A.36 of the Code of Iowa and Chapter 571-72 of the Iowa Administrative Code. The forester and supervisor reviewed the bid proposals and the highest bid from the most responsive and responsible bidder was selected.

Date bids received: 02/07/20

Number of Bids Received: 3

Recommendation: Jones Wood Heating and Logging LLC



French Creek Twsp.
Allamakee Co.

0 0.1 0.2 0.4 0.6 0.8 Miles

Bidder	City, State	Amount of Bid
Jones Wood Heating and Logging LLC	McGregor, IA	\$28,062.00
Ken Knapp	Fayette, IA	\$24,685.00
Dan Jones Logging, Inc.	Waterville, IA	\$23,512.00

Jeff Goerndt, State Forester
Conservation and Recreation Division
March 17, 2020

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

Decision Item

8. Chapter 35 – Fish Habitat Promotion for County Conservation Board Grant Recommendations

The Commission is requested to approve the following grant recommendations pursuant to Chapter 35, Fish Habitat Promotion for County Conservation Board Grants.

Grant Purpose: All revenue derived from fish habitat fees, paid for as part of fishing licenses, is deposited in the state fish and game protection fund to be used for fish habitat development. At least fifty percent of all revenue from the sale of fish habitat fees is distributed equally among the six county conservation board districts. Each district is allowed to hold a two-year apportionment before money is redistributed equally among all districts. Applicants must provide at least 10% cost share for their project. This program is managed by the counties and is open to all county conservation boards for habitat development and acquisition purposes. The DNR serves in an advisory role and oversees funding administration.

Funding Source(s): Fish and Wildlife Trust Fund

Grant Funding Available: Grants are reviewed by the Counties annually. Funding available for this grant cycle is \$109,719 for each of the six county districts plus any carry over from the previous year for eligible project proposals.

Summary of Selection Process: The Fish Habitat Grant Review Committees met in December 2019 and January 2020 to rank and score the county conservation board projects in their district.

Selection Committee Members: The review and selection committee for each district consisted of at least five County Conservation Board Directors and one DNR Fisheries Biologist advisor.

Recommendations: The district committees recommend funding the projects as follows:

District 1	\$96,975.00	
Jasper	\$54,000.00	Shoreline stabilization and rock outcroppings at Mariposa Lake.
Webster	\$9,000.00	Silt removal from retention basin above Badger Lake.
Marshall	\$33,975.00	Shoreline stabilization at Sand Lake.

District II	\$114,016.00	
Cerro Gordo	\$50,806.00	Construction of rock jetty, spawning beds, and rock/brush piles at Bluebill Lake.
Howard	\$60,000.00	Construction of rock reefs at Lake Hendricks.
Franklin	\$3,210.00	Construction of spawning beds at Maynes Grove Lake.

District III	\$117,271.00	
Lyon	\$25,903.00	Silt removal from retention basin above Lake Pahoja.
Osceola	\$15,300.00	Shoreline stabilization and construction of fish habitat at Ashton Wayside Park.

Sac	\$34,200.00	Shoreline stabilization in Hagge Park, North Raccoon River.
Woodbury	\$41,868.00	Shoreline stabilization, jetty construction, and fish habitat construction at Browns Lake.

District IV	\$109,719.00	
Adair	\$13,416.00	Renovate three retention basin dams above Mormon Trail Lake.
Ringgold	\$10,620.00	Shoreline stabilization and construction of spawning beds at Poe Hollow Park.
Taylor	\$85,683.00	Shoreline stabilization, construction of spawning beds and fish habitat at Windmill Lake.

District V	\$179,919.00	
Lee	\$88,164.00	Retention pond dredging, outlet reconstruction, and jetty and spawning bed construction at North Heron Bend Fishing Area.
Jefferson	\$57,915.00	Construction of pond and placement of fish habitat at Zillman's Hickory Hills.
Des Moines	\$33,840.00	Dredging, jetty construction, and rock/brush pile construction at Linder Conservation Area.

District VI	\$140,612.00	
Scott	\$100,000.00	Fish habitat construction at Blue Grass Lake, Rail Road Lake, Lambach Lake, and Lake of the Hills in the West Lake complex.
Jackson	\$37,890.00	Pond dam reconstruction at Papke Wildlife Area.
Dubuque	\$2,722.00	Shoreline stabilization and construction of fish habitat on Upper Catfish Creek.

Joe Larscheid, Fisheries Bureau Chief
Conservation and Recreation Division
March 17, 2020

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

Decision Item

9. Contract with HDR Engineering, Inc.

Commission approval is requested for a contract with HDR Engineering, Inc., of Omaha, NE.

Contract Terms

Amount: not to exceed \$148,117

Dates: 03/17/2020 to 02/21/2021

Funding Source(s): REAP Open Spaces (25%), Federal Sport Fish Restoration Funds (75%)

Contract Purpose: The presence of zebra mussels in the source water for Spirit Lake Fish Hatchery poses risks to fish production. During most of the fish production season, there is the potential for zebra mussel veligers to be present in the water that enters the hatchery. This requires all fish and water loaded onto hatchery trucks to be treated before leaving the hatchery to ensure that zebra mussels are not being spread during stocking operations.

In addition to the threat zebra mussels pose to fish production at Spirit Lake Fish Hatchery, a water quality issue has been reducing fish production during the past 5 years. The hatchery has observed an influx of gas supersaturation coming from the lake. This issue has caused an extensive loss of Walleye eggs in the spring. Eggs attach to the bubbles produced by supersaturation, causing them to float out of the incubator system. In the past two years, this issue has caused a loss of over 50% of the Walleye eggs needed for production each year.

In 2018 and 2019, research was conducted at Rathbun Fish Culture Research Facility to test a small scale Recirculating Aquaculture System (RAS). Walleye eggs in this system had an improved hatching rate compared to the traditional incubator system used in the hatchery. Also, with the fish being hatched in clean water that was free of diseases and zebra mussels, they did not need to be treated prior to stocking.

This contract is for the design of a Recirculating Aquaculture System (RAS) that will use an aquatic invasive species-free water source to replace the current incubation system at Spirit Lake Fish Hatchery. The RAS will also address the water quality issues that are reducing fish production and it will ensure that fry are being produced in a zebra mussel free water source. HDR Engineering will create a RAS design, with DNR input and review, that will meet the hatchery's needs. Additional tasks include: prepare bid documents consistent with the final design; assist DNR during the bidding phase in answering technical questions about the plans and specifications, notify potential contractors of the opportunity to maximize the bidder pool, and assist DNR in responding to inquiries received during the bid advertisement phase; and attend a pre-bid meeting for interested contractors. If the design meets hatchery requirements and construction occurs, HDR will provide onsite and telephone design consultation during construction to ensure design plans and specifications are met, provide a maintenance and training manual to DNR that contains complete instruction of how to maintain and operate the RAS, and provide on-site training for DNR staff.

HDR Engineering, Inc. has significant experience designing recirculating aquaculture systems (RAS), including egg incubators. They have designed a RAS egg incubator for the Richmond Hill Hatchery in Georgia, that is a variable rate RAS including temperature manipulation. HDR has also designed entire hatcheries that have recirculating fish culture systems that are much larger in scope and complexity than a RAS egg incubator. These hatcheries include Pffieffer State Fish Hatchery in KY, the Wild Rose State Fish Hatchery in WI, and the Florida Bass Conservation Center in FL. HDR Engineering, Inc, has the expertise to design a RAS egg incubator for the Spirit Lake Fish Hatchery and they have successfully designed and implemented similar or larger projects.

Selection Process Summary: The Department solicited bids from targeted small businesses and published a Formal Request for Proposals on the Department of Administrative Services website.

Proposal Due Date: 02/24/20

Review and Selection Committee: DNR Procurement Officer, Engineering (2), Fisheries (2)

Scoring Criteria: Proposals were scored based on the criteria as described in the RFP which included their ability to complete the scope of work within the desired timeline, contractor's professional experience and performance record, description and quality of previous and applicable work experience, and cost.

Proposals Received: 1

Recommendation: HDR Engineering Inc.

Vendor	Vendor Location (city, state)	Score	Rank	Cost
HDR Engineering, Inc.	Omaha, NE	179	1	\$148,117

Joe Larscheid, Fisheries Bureau Chief
Conservation and Recreation Division
March 17, 2020

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

Decision Item

10. Contract with Ducks Unlimited, Inc. (Black Hawk Lake)

Commission approval is requested for a contract with Ducks Unlimited, Inc. (DU), of Dexter, Michigan.

Contract Terms:

Amount: Not to exceed \$563,945.00

Dates: March 17, 2020 to June 30, 2021

Funding Source(s): Lake Restoration Program (\$225,000.00); Section 319 Grant from the US EPA (\$200,000.00) and REAP Open Spaces (\$138,945)

Background: Black Hawk Lake is the southern-most glacially-formed lake in Iowa. This 922-acre lake has a watershed of 14,097 acres and is home to Black Hawk State Park and the City of Lake View. Water quality problems have been documented as early as the 1930s. Restoration at Black Hawk Lake began in 2012 to improve water clarity in the lake, provide a better sport fishery for anglers, and to improve water quality in the lake by reducing nutrient and sediment inputs to the lake.

In 2012, the DNR renovated the fishery and several sections along the lake were armored to protect the lake from shoreline erosion. Renovating the fishery to remove carp and other rough fish was a key component to improving water clarity in the lake. A watershed project also began in 2012, and to date, over 211 practices have been installed in the watershed to reduce sediment and nutrient inputs to the lake.

In 2015, a small scale dredging project was completed at the State Marina to remove 3 feet of soft sediment from the lake bottom, which allowed for better boat access to a cove of the lake that was especially shallow. Work also began in 2015 to dredge the inlet (Provost Bay), which was identified in the Diagnostic and Feasibility Study as being critical to achieving long term water quality improvement. Between 2017 and 2019, approximately 330,000 CY of sediment were removed from the Bay and the wetland was re-meandered, allowing for additional sediment and nutrient storage.

While a few carp have returned to the lake, managing carp and other rough fish populations is key to maintaining better water quality in the lake long term. To do this, it is essential to minimize pathways where fish can move in and out of the lake. Cutting off fish access to Provost Bay is the most critical pathway to block, as carp tend to migrate into the bay to spawn. By putting an effective fish barrier in place between the bay and the lake, managers can minimize population growth of rough fish by removing access to their breeding waters.

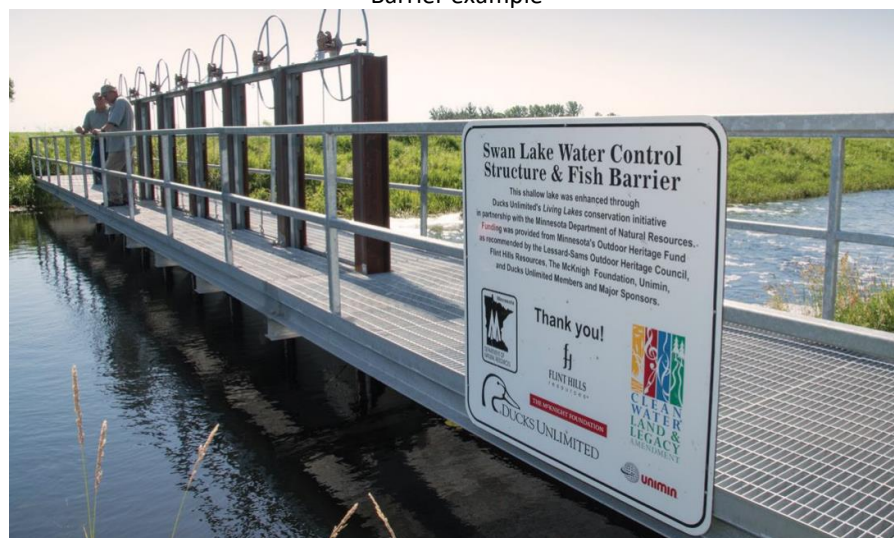
In February 2019, the Department entered into an agreement with DU for feasibility assessments, professional bio-engineering services, bid letting, and construction management services for shallow lakes and large marshes. DU designed the engineering plans for Black Hawk Lake's fish barrier and water pump system, prepared and bid the project, and will manage this construction with DNR oversight.

Contract Purpose: This contract will install a high capacity water control pump, remove the current barrier, and construct a new fish barrier between Black Hawk Lake and Provost Bay. The barrier and pump system

will minimize the movement of undesirable fish species between the lake and their spawning habitat in the marsh and allow for better water control management of Provost Bay to promote the growth of wetland vegetation. The new barrier will consist of concrete structures similar to box culverts with metal screens that will raise and rotate for safe debris removal from the screens.



Barrier example



Previously Completed Work at Black Hawk Lake: Extensive restoration work has taken place, both in the watershed and within the lake. Since work began in 2012, water clarity has improved, the frequency and intensity of harmful algal blooms has decreased, and vegetation has begun to grow around the perimeter of the lake – reducing wind and wave re-suspension of sediment and nutrients. Additionally, the sport fishery is thriving following the renovation of the fishery.

Watershed work completed through the Federal Section 319 program include streambank stabilization, CRP, bioswales, rain gardens, wetlands, cover crops, and conservation tillage practices (\$612,900 since 2014). In-lake work completed to date includes:

• Diagnostic and Feasibility Study (LRP and local groups)	\$ 200,000
• Approximately 3,000 feet of shoreline armoring (LRP, MFT, Wildlife)	\$ 311,000
• Fish barrier at the outlet structure (LRP)	\$ 21,000
• Fishery renovation (LRP)	\$ 238,000
• Vegetation management and harvester (LRP and locals)	\$ 150,000
• Inlet dredging containment site (LRP)	\$ 730,000
• Inlet dredging project 330,000 CY removed (LRP)	\$2,100,000
• State Marina dredging (MFT)	\$ 93,390
• <u>Engineering design for fish barrier between inlet and lake (LRP)</u>	<u>\$ 100,000</u>
Total:	\$3,943,390

Anticipated Future Work: Future work will include the continuation of watershed BMPs through the Black Hawk Lake Watershed Project. A potential dredging project for the main body of the lake is also being developed that would target the removal of between 750,000 and 1,000,000 CY of excess sediment from the main body of the lake, where sediment and nutrient re-suspension can impact internal loading within the lake (estimated budget \$5-\$6 million).

Selection Process Summary: Cooperative Agreement contracting is authorized under 11 IAC 118.4.

Travis Baker, Land & Waters Bureau Chief
 Conservation and Recreation Division
 March 17, 2020

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

Decision Item (**indicates proposed consent*)

***11. Contract Amendment-3 with Des Moines Blue Print Company/Beeline and Blue**

Commission approval is requested for a contract amendment with Des Moines Blue Print Company/Beeline and Blue, of Des Moines, Iowa.

Amendment-3

Terms:

Amendment Amount: not to exceed \$24,999

Amendment Dates: 03/20/20 to 03/19/21

Funding Source(s): Various – funding sources related to the engineering project

Amendment Purpose: Continue printing and mailing services and list management for engineering projects.

Original Contract Purpose: In March 2017, the Department entered into an agreement with Des Moines Blue Print Company/Beeline and Blue for printing and distribution services for projects advertised by the DNR Engineering Bureau. Iowa Code Chapter 26.3 competitive bids for public improvement contracts requires the DNR to advertise for sealed bids for proposed public improvement projects by posting a notice to bidders not less than thirteen and not more than forty-five days before the date for filing bids in a relevant contractor plan room service with statewide circulation. The contract with Des Moines Blue Print Company/Beeline and Blue, not to exceed \$24,999 annually, has provided the required contractor plan room service. These services include:

- printing, distribution, and mailing of requested project manuals and project plans;
- maintain an electronic plan holders list by project;
- provide email notifications of addenda issued by the DNR about a specific project to all requestors identified in the plan holders electronic list; and
- provide the DNR with the requested copies of project manuals and project plans for each individual project advertised.

Original Selection Process: In 2017, the DNR published a Request for Proposal (RFP) and reviewed bids for services requested. Des Moines Blue Print Company/Beeline and Blue was awarded the bid due to their experience, performance, references, capacity, and cost.

Contract History:

Original Contract Terms: Amount: \$9,378; Timeframe: 03/20/17-03/19/18; Purpose: printing/ mailing services

Amendment-1 Terms: Amount \$9,684; Timeframe: 03/20/18-03/19/19; Purpose: print/ mailing services

Amendment-2 Terms: Amount \$18,208; Timeframe: 03/20/19-03/19/20; Purpose: print/ mailing services

Travis Baker, Land and Waters Bureau Chief
Conservation and Recreation Division
March 17, 2020

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

Decision Item (** indicates proposed consent item*)

***12. Public Land Management Project: Chapter 18 Lease Correction, Fidelity Properties, Ltd
– Dickinson County**

The Natural Resource Commission is requested to approve the renewal of Chapter 18 Lease Number 101-R with Fidelity Properties, Ltd.

Location: The lease area consists of an irregular strip of the bed of East Okoboji Lake lying below the ordinary high water line of 1397.8 feet, N.G.V.D, and above elevation of 1395.8 N.G.V.D, adjoining Government Lot 5 in Section 20, Township 99 North, Range 36 West of the 5th P.M., Dickinson County, Iowa.

Site Purpose: The leased area is occupied by a platform (deck), extending from the existing deck in front of "The Ritz" over sovereign land, measuring approximately 64 feet by 20 feet.

Lease History: The location has been under lease since 1993.

Lease Fee and Term: The annual fee is \$2,495 with a condition the fee may be adjusted to comply with adopted administrative rule changes that affect lease fees. The term of the lease will be five years.

Travis Baker, Land & Waters Bureau Chief
Conservation and Recreation Division
March 17, 2020

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

Decision Item

13. Public Land Acquisition Projects

13.1. Bloody Run Creek WMA, Clayton County – The Iowa Natural Heritage Foundation

The Natural Resource Commission is requested to approve a purchase of a tract of land located near Bloody Run Creek Wildlife Management Area (WMA).

Seller: The Iowa Natural Heritage Foundation

Acreage: 171 Acres

DNR Purchase Price: \$650,000

Appraised Price: \$661,800

Property Description: This property is located adjacent south and west of the Bloody Run Creek WMA, 3 miles west of Marquette in northeast Clayton County. The property is best described as an irregular-shaped tract of a mix of timbered ridges and 59 highly erodible acres of cropland. This tract of land has approximately 3,500 feet of Bloody Run Creek running through it. Access will be provided by a gravel county road in the southern portion as well as through the remainder of the WMA.

Purpose: This acquisition will provide for public access to hunting, trout fishing and other outdoor recreational opportunities. The tract will be managed to benefit the Cerulean Warbler, Golden-winged Warbler, Red-shouldered Hawk, and 25 Species of Greatest Conservation Need birds and most of the cropland will be planted to native prairie or trees. The floodplain will be managed to benefit trout management and fishing. Deer, turkey and ruffed grouse will also be a focus of management for this area.

DNR Property Manager: Wildlife Bureau

Funding Source(s): \$487,500 Federal Pittman-Robertson, \$82,750 REAP License Plate, \$58,000 Fish Restitution, \$21,750 Wildlife Habitat Stamp

Incidental Costs: Incidental closing costs will be the responsibility of the Department. The will remain on property tax rolls.

13.2. Mitchell Marsh WMA, Union County – The Iowa Natural Heritage Foundation

The Natural Resource Commission's approval is requested to purchase a tract of land located near Mitchell Marsh Wildlife Management Area (WMA).

Seller: The Iowa Natural Heritage Foundation

Acreage: 160 Acres

DNR Purchase Price: \$307,000

Appraised Price: \$576,000

Property Description: This property is located adjacent east of Mitchell Marsh WMA, 1 mile north of Creston in northwest Union County. The property is best described as a rectangular-shaped tract of a mix of 96 acres of CRP grassland and the remainder described as FEMA designated flood zone, cedar

groves, a pond and two creeks. The DNR currently holds a flowage easement, signed in 1996, on the middle portion of the parcel which allows the department to temporarily manage water levels during high water/flood events.

Purpose: This acquisition will provide for public access to hunting and other outdoor recreational opportunities, while being managed as a grassland and wetland. This property will also enhance watershed protection and upland habitat expansion.

DNR Property Manager: Wildlife Bureau

Funding Source(s): \$287,000 Federal Pittman-Robertson Land Grant, \$20,000 High Lakes Alliance

Incidental Costs: Incidental closing costs will be the responsibility of the Department.

Travis Baker, Land & Waters Bureau Chief

Conservation and Recreation Division

March 17, 2020

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

Information Item

14. Construction - Small Projects

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

Bid Date	Project No.	Location	County	Summary	Cost Estimate	Bids
1/30/20	20-02-81-03 Parks	Black Hawk State Park	Sac	Repair separated pipe joints on an existing dual 24" concrete pipe road crossing.	\$16,000	\$6,640.00 \$10,380.00 \$15,030.00 \$17,370.00
1/30/20	18-03-33-01 Lakes Restoration	Volga River SRA	Fayette	Remove small nuisance trees from the gullies within the Frog Hollow Lake Watershed to facilitate erosion control vegetation growth.	\$27,000	\$14,200.00 \$23,082.50 \$29,005.00 \$29,630.00 \$31,600.00 \$75,999.91 \$194,150.00
2/6/20	18-04-61-02 Wildlife	Badger Creek Recreation Area	Madison	Remove identified small trees and shrubs encroaching along both sides of the paved roadway and repair and seed disturbed areas.	\$10,000	\$4,000.00 \$7,149.00 \$8,550.00 \$9,500.00 \$12,000.00 \$12,000.00 \$12,500.00 \$17,685.00 \$32,000.00
2/13/20	20-01-75-01 Wildlife	Deer Creek Wildlife Management Area	Plymouth	Repair drainage issues and add granular surfacing to the roadways.	\$40,000	\$30,649.60 \$38,782.94 \$39,032.00 \$40,100.70
2/13/20	20-02-42-02 River Programs	Steamboat Rock	Hardin	Place 150 tons of Class D revetment along the end of the dam to prevent the dam from washing out.	\$15,000	\$9,000.00 \$10,000.00 \$10,950.00 \$13,800.00 \$24,000.00 \$529,440.00
2/13/20	19-02-95-03 Wildlife	Clear Lake Wildlife Unit	Winnebago	Construct a small earth filled embankment, shallow water excavation, install a stop log water control structure, and break and plug existing tiles for wetland restoration.	\$47,000	\$43,130.00 \$46,626.00 \$52,985.90 \$57,988.28 \$58,997.00 \$70,697.85 \$84,799.10
2/20/20	19-01-75-01 Wildlife	Deer Creek Wildlife Management Area	Plymouth	Demolition, disposal, asbestos removal, and general clean-up of an abandoned farmstead.	\$40,000	\$32,000.00 \$38,345.00 \$48,850.00 \$53,000.00 \$54,500.00 \$56,750.00 \$62,550.00 \$67,070.00 \$68,700.00

2/20/20	20-01-32-01 Parks	Okamanped en State Park	Emmet	Add granular surfacing to select roadway sections.	\$27,000	\$16,101.65
						\$17,690.00
						\$22,410.029
						\$24,109.00
						\$24,573.15
						\$25,676.67
						\$32,206.55
						\$36,635.00

Travis Baker, Land & Waters Bureau Chief
Conservation and Recreation Division
March 17, 2020

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

Decision Item

15. Chapter 98, “Wild Turkey Spring Hunting” and Chapter 99, “Wild Turkey Fall Hunting” – Notice of Intended Action

The Commission is requested to approve the Notice of Intended Action – Chapter 98, “Wild Turkey Spring Hunting”, and Chapter 99, “Wild Turkey Fall Hunting.”

Chapter 98, Wild Turkey Spring Hunting:

Basic Intent of Rule - Chapter 98 sets regulations for spring turkey hunting and includes season dates, bag limits, possession limits, shooting hours, areas open to hunting, licensing procedures, means and methods of take, and transportation and reporting requirements.

Proposed Rule Change - One change is proposed to Chapter 98. The starting date of the Archery-only season is being aligned with the starting date of the Combination shotgun-or-archery season.

Chapter 99, Wild Turkey Fall Hunting:

Basic Intent of Rule - Chapter 99 sets regulations for fall turkey hunting and includes season dates, bag limits, possession limits, shooting hours, areas open to hunting, licensing procedures, means and methods of take, and transportation and reporting requirements.

Proposed Rule Change - One change is proposed to Chapter 99. The Combination shotgun-or-archery quota for Zone 8 is being raised from 150 to 200.

Todd Bishop, Wildlife Bureau Chief
Conservation and Recreation Division
March 17, 2020

Attached: Chapter 98, “Wild Turkey Spring Hunting” and Chapter 99, “Wild Turkey Fall Hunting” – Notice of Intended Action

NATURAL RESOURCE COMMISSION[571]

Notice of Intended Action

The Natural Resource Commission hereby proposes to amend Chapter 98, “Wild Turkey Spring Hunting” and Chapter 99, “Wild Turkey Fall Hunting”, both of the Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in 455A.5(6), 481A.38, 481A.39, and 481A.48.

State or Federal Law Implemented

This rule making implements, in whole or in part, 481A.38, 481A.39, and 481A.48(1).

Purpose and Summary

Chapter 98 regulates spring wild turkey hunting for both residents and nonresidents, and includes season dates, bag limits, possession limits, shooting hours, areas open to hunting, licensing procedures, means and methods of take, and transportation tag requirements.

One change is proposed to Chapter 98. The starting date of the Archery-only season is being aligned with the starting date of the Combination shotgun-or-archery season.

Chapter 99 regulates fall wild turkey hunting for residents, and includes season dates, bag limits, possession limits, shooting hours, areas open to hunting, licensing procedures, means and methods of take, and transportation tag requirements. (Note: there is no fall wild turkey season for nonresidents in Iowa, except for nonresidents who are under 21 years old and have a severe physical disability or have been diagnosed with a terminal illness. See Iowa Code § 483A.24(12) and 571--99.2(4)).

One change is proposed to Chapter 99. The Combination shotgun-or-archery quota for Zone 8 is being raised from 150 to 200.

Fiscal Impact

This rule making has no fiscal impact to the state of Iowa. The proposed amendment to Chapter 98 simply aligns season dates which will not impact license sales or hunter purchasing. The proposed amendment to Chapter 99 will make 50 more licenses available in Zone 8. However, fall turkey hunting license sales have been declining in other parts of the state. It is anticipated the overall declines will overcome any gains made by the small increase in Zone 8.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Natural Resource Commission for a waiver of the discretionary provisions, if any, pursuant to 571 Iowa Administrative Code chapter 11.

Public Comment

Any interested person may submit comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Natural Resource Commission no later than 4:30 p.m. on April 28, 2020. Comments should be directed to:

Chris Ensminger, Wildlife Research Section Supervisor
Iowa Department of Natural Resources
Wallace State Office Building
502 East Ninth Street
Des Moines, Iowa 50319-0034
Email: Chris.Ensminger@dnr.iowa.gov

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

Upon arrival, attendees should proceed to the fourth floor to check in at the Department's reception desk and be directed to the appropriate hearing location.

April 28, 2020, at 12:00 p.m. in the Fourth Floor Conference Room in the Wallace State Office Building, 502 East Ninth Street, Des Moines IA 50319.

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

Any persons who intend to attend the hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department of Natural Resources and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Amend paragraph **98.2(4)"b"** as follows:

b. *Archery-only licenses*. The season shall be 35 days beginning on the second Monday ~~closest to~~ of April ~~15~~.

ITEM 2. Amend paragraph **99.5(1)"e"** as follows:

e. Zone 8. ~~150~~ 200

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

Decision Item

16. Chapter 106, “Deer Hunting by Residents”– Notice of Intended Action

The Commission is requested to approve the Notice of Intended Action – Chapter 106, “Deer Hunting by Residents.”

Basic Intent of Rule - Chapter 106 sets regulations for deer hunting by residents and includes season dates, bag limits, possession limits, shooting hours, areas open to hunting, licensing procedures, means and methods of take, and transportation and reporting requirements.

Proposed Rule Change - This rule making proposes three amendments to Chapter 106:

1. General deer licenses are reestablished as valid in seven counties (Cerro Gordo, Franklin, Grundy, Hardin, Hancock, Winnebago and Worth) for all seasons, and all of northwest Iowa for the early muzzleloader season. Deer populations have been steadily increasing in the northwest allowing for this increase in recreational opportunity for Iowa hunters.
2. The January antlerless-deer-only season is rescinded for all counties. Due to a widespread outbreak of Epizootic Hemorrhagic Disease (EHD) in the summer of 2019, deer numbers and harvest were down across these areas of the state.
3. A total of 23 counties are having their respective resident county antlerless-deer license quotas modified. Quotas are being increased in Clayton, Fayette, Floyd, Guthrie, Jackson, Jones, Lee, Mitchell, Tama, Washington, and Winneshiek counties to reduce deer densities for disease control or to alleviate negative human-deer interactions. Quotas are being decreased in Adams, Bremer, Fremont, Jefferson, Montgomery, Page, Poweshiek, Ringgold, Taylor, Union, Wapello, and Woodbury counties to stabilize a healthy local population. Statewide, the overall proposed quota change is an increase of 125.

Todd Bishop, Wildlife Bureau Chief
Conservation and Recreation Division
March 17, 2020

Attached: Chapter 106, “Deer Hunting by Residents”– Notice of Intended Action

NATURAL RESOURCE COMMISSION[571]

Notice of Intended Action

The Natural Resource Commission hereby proposes to amend Chapter 106, “Deer Hunting by Residents,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code sections Iowa Code §§ 455A.5(6)“a”, 481A.39, and 481A.48(1).

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 481A.39 and 481A.48(1).

Purpose and Summary

Chapter 106, which governs deer hunting by residents in the state of Iowa, sets regulations for deer hunting and includes season dates, bag limits, possession limits, shooting hours, areas open to hunting, licensing procedures, means and methods of take, and transportation and reporting requirements.

This rule making proposes three amendments to Chapter 106. First, general deer licenses are reestablished as valid in seven counties (Cerro Gordo, Franklin, Grundy, Hardin, Hancock, Winnebago and Worth) for all seasons,

and all of northwest Iowa for the early muzzleloader season. Deer populations have been steadily increasing in the northwest allowing for this increase in recreational opportunity for Iowa hunters.

Second, the January antlerless-deer-only season is rescinded for all counties. Due to a widespread outbreak of Epizootic Hemorrhagic Disease (EHD) in the summer of 2019, deer numbers and harvest were down across these areas of the state.

Third, a total of 23 counties are having their respective resident county antlerless-deer license quotas modified. Quotas are being increased in Clayton, Fayette, Floyd, Guthrie, Jackson, Jones, Lee, Mitchell, Tama, Washington, and Winneshiek counties to reduce deer densities for disease control or to alleviate negative human-deer interactions. Quotas are being decreased in Adams, Bremer, Fremont, Jefferson, Montgomery, Page, Poweshiek, Ringgold, Taylor, Union, Wapello, and Woodbury counties to stabilize a healthy local population. Statewide, the overall proposed quota change is an increase of 125.

Fiscal Impact

This rule making has no negative fiscal impact to the state of Iowa. Deer hunting has been relatively constant in Iowa for many years, and none of the proposed changes will substantially alter hunters' ability to purchase tags and pursue deer. Importantly, no license fee changes are proposed in this rule making.

The Department does anticipate a possibly minor increase in license sales from this proposed rule making due to 125 more tags being available statewide. However, hunters will choose not to purchase tags in areas of low deer density so artificially maintaining high deer quotas will not change that fact. Any revenue resulting from this proposed rule making shall be deposited into the State Fish and Game Protection Fund. A copy of the fiscal impact statement is available from the Department upon request.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Natural Resource Commission for a waiver of the discretionary provisions, if any, pursuant to 571 Iowa Administrative Code chapter 11.

Public Comment

Any interested person may submit comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Natural Resource Commission no later than 4:30 p.m. on April 28, 2020. Comments should be directed to:

Tyler Harms, Wildlife Biometrician
Iowa Department of Natural Resources
Wallace State Office Building
502 East Ninth Street
Des Moines, Iowa 50319-0034
Email: Tyler.Harms@dnr.iowa.gov.

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

Upon arrival, attendees should proceed to the fourth floor to check in at the Department reception desk and be directed to the appropriate hearing location.

April 28, 2020 at 12:00 p.m. in the Fourth Floor Conference Room of the Wallace State Office Building located at 502 East Ninth Street, Des Moines, IA 50319.

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

Any persons who intend to attend the hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department of Natural Resources and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making action proposed:

ITEM 1. Amend paragraph **106.1(1)“a”** as follows:

a. *General deer licenses.* General deer licenses shall be valid for taking deer in one season selected at the time the license is purchased. General deer licenses shall be valid for taking deer of either sex except in Buena Vista, Calhoun, ~~Cerro Gordo~~, Cherokee, Clay, Dickinson, Emmet, ~~Franklin~~, ~~Grundy~~, Hamilton, ~~Hancock~~, ~~Hardin~~, Humboldt, Ida, Kossuth, Lyon, O’Brien, Osceola, Palo Alto, Plymouth, Pocahontas, Sac, Sioux, Webster, ~~Winnebago~~, ~~Worth~~ and Wright counties during the ~~early muzzleloader~~ or first regular gun season when the general deer license will be valid for taking deer with at least one forked antler. Paid general deer licenses shall be valid statewide except where prohibited in deer population management zones established under 571—Chapter 105. Free general deer licenses shall be valid for taking deer of either sex only on the farm unit of an eligible landowner or tenant in the season or seasons selected at the time the license is obtained.

ITEM 2. Rescind and reserve subrule **106.1(6)**.

ITEM 3. Rescind and reserve subrule **106.2(5)**.

ITEM 4. Rescind and reserve subrule **106.4(5)**.

ITEM 5. Rescind and reserve subrule **106.6(4)**.

ITEM 6. Amend subrule 106.6(6) as follows:

106.6(6) Antlerless-deer-only licenses. Paid antlerless-deer-only licenses will be available by county as follows:

County	Quota	County	Quota	County	Quota
Adair	1200	Floyd	0 <u>100</u>	Monona	850
Adams	1450 <u>1200</u>	Franklin	0	Monroe	2250
	<u>0</u>				
Allamakee	3800	Fremont	300 <u>200</u>	Montgomery	750 <u>500</u>
Appanoose	2700	Greene	0	Muscatine	775
Audubon	0	Grundy	0	O’Brien	0
Benton	325	Guthrie	1950 <u>215</u>	Osceola	0
			<u>0</u>		
Black Hawk	0	Hamilton	0	Page	750 <u>500</u>
Boone	300	Hancock	0	Palo Alto	0
Bremer	400 <u>300</u>	Hardin	0	Plymouth	0
Buchanan	300	Harrison	850	Pocahontas	0
Buena Vista	0	Henry	925	Polk	1350
Butler	150	Howard	450	Pottawattamie	850
Calhoun	0	Humboldt	0	Poweshiek	300 <u>200</u>
Carroll	0	Ida	0	Ringgold	1600 <u>1400</u>
Cass	400	Iowa	450	Sac	0

County	Quota	County	Quota	County	Quota
Cedar	775	Jackson	975 <u>1100</u>	Scott	200
Cerro Gordo	0	Jasper	775	Shelby	0
Cherokee	0	Jefferson	1650 <u>1500</u>	Sioux	0
Chickasaw	375	Johnson	850	Story	150
Clarke	2400	Jones	950 <u>1100</u>	Tama	200 <u>300</u>
Clay	0	Keokuk	450	Taylor	1600 <u>1500</u>
Clayton	3800 <u>4000</u>	Kossuth	0	Union	1500 <u>1400</u>
Clinton	400	Lee	1275 <u>1500</u>	Van Buren	2100
Crawford	0	Linn	850	Wapello	1825 <u>1700</u>
Dallas	1875	Louisa	675	Warren	2700
Davis	1700	Lucas	2500	Washington	750 <u>1000</u>
Decatur	2200	Lyon	0	Wayne	2700
Delaware	950	Madison	3000	Webster	0
Des Moines	800	Mahaska	475	Winnebago	0
Dickinson	0	Marion	1850	Winneshiek	2500 <u>2700</u>
Dubuque	975	Marshall	150	Woodbury	400 <u>300</u>
Emmet	0	Mills	500	Worth	0
Fayette	2000 <u>2300</u>	Mitchell	0 <u>100</u>	Wright	0

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

Decision Item

17. Chapter 108, "Mink, Muskrat, Raccoon, Badger, Opossum, Weasel, Striped Skunk, Fox (Red and Gray), Beaver, Coyote, River Otter, Bobcat, Gray (Timber) Wolf and Spotted Skunk Seasons"- Notice of Intended Action

The Commission is requested to approve the Notice of Intended Action – Chapter 108, "Mink, Muskrat, Raccoon, Badger, Opossum, Weasel, Striped Skunk, Fox (Red and Gray), Beaver, Coyote, River Otter, Bobcat, Gray (Timber) Wolf and Spotted Skunk Seasons."

Basic Intent of Rule - This chapter contains the regulations for the furharvest season and includes season dates, bag limits, possession limits, trapping and hunting hours, and areas open to trapping and hunting.

Proposed Rule Change - This rule proposes to:

1. Increase the bag limit for river otters from two per furharvester to three per furharvester,
2. Add Boone and Webster counties to the one bobcat per furharvester zone, and
3. Clarify the total allowable bobcat harvest by a furharvester in a season.

Population data from the past 12 years reveals that Iowa's river otter and bobcat populations continue to grow and expand into more counties with suitable habitat. This data is compiled from a variety of sources, such as hunter surveys, harvest information, field reports, and sightings. This proposed rule change is biologically responsible, as required by law, and will also increase recreational opportunities for Iowa furharvesters while helping minimize social issues associated with high river otter and bobcat densities.

Todd Bishop, Wildlife Bureau Chief
Conservation and Recreation Division
March 17, 2020

Attached: Chapter 108, "Mink, Muskrat, Raccoon, Badger, Opossum, Weasel, Striped Skunk, Fox (Red and Gray), Beaver, Coyote, River Otter, Bobcat, Gray (Timber) Wolf and Spotted Skunk Seasons" – NOIA

NATURAL RESOURCE COMMISSION[571]

Notice of Intended Action

The Natural Resource Commission hereby proposes to amend Chapter 108, "Mink, Muskrat, Raccoon, Badger, Opossum, Weasel, Striped Skunk, Fox (Red and Gray), Beaver, Coyote, River Otter, Bobcat, Gray (Timber) Wolf and Spotted Skunk Seasons", Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in 455A.5(6)"a", 481A.38, 481A.39, and 481A.87.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 481A.87.

Purpose and Summary

Chapter 108 sets the season dates, bag limits, possession limits and areas open to hunting or trapping furbearers. This rule making proposes to: 1) increase the bag limit for river otters from two per furharvester to three per furharvester, 2) add Boone and Webster counties to the one bobcat per furharvester zone, and 3) to clarify the total allowable bobcat harvest by a furharvester in a season. Population data from the past 12 years reveals that Iowa's river otter and bobcat populations continue to grow and expand into more counties with suitable habitat. These data are compiled from a variety of sources, such as hunter surveys, harvest information, field reports, and sightings. This proposed rule change is biologically responsible, as required by law, and will also increase recreational opportunities for Iowa furharvesters while helping minimize social issues associated with high river otter and bobcat densities.

Fiscal Impact

This rule making has no fiscal impact to the state of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Natural Resource Commission for a waiver of the discretionary provisions, if any, pursuant to 571 Iowa Administrative Code chapter 11.

Public Comment

Any interested person may submit comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Natural Resource Commission no later than 4:30 p.m. on April 28, 2020. Comments should be directed to:

Vince Eversizer, Wildlife Biologist
Department of Natural Resources
1203 North Shore Drive
Clear Lake, Iowa 50428
Email: Vince.Eversizer@dnr.iowa.gov

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

Upon arrival, attendees should proceed to the fourth floor to check in at the Department's reception desk and be directed to the appropriate hearing location.

April 28, 2020, at 12:00 p.m. in the Fourth Floor Conference Room in the Wallace State Office Building, 502 East Ninth Street, Des Moines IA 50319.

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

Any persons who intend to attend the hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department of Natural Resources and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making action proposed:

ITEM 1. Amend subrule 108.7(3) as follows:

108.7(3) Seasonal bag limit. The seasonal bag limit for river otters is ~~2~~ 3 river otters per person. The seasonal bag limit for bobcats is 1 bobcat per person in the following counties: Audubon, Boone, Cedar, Cherokee, Clinton, Crawford, Dallas, Guthrie, Harrison, Iowa, Jackson, Jasper, Johnson, Lyon, Monona, Muscatine, Plymouth, Polk, Poweshiek, Scott, Shelby, Sioux, Webster, and Woodbury. The seasonal bag limit for bobcats is 3 bobcats per person in the following counties: Adair, Adams, Appanoose, Cass, Clarke, Davis, Decatur, Des Moines, Fremont, Henry, Jefferson, Keokuk, Lee, Louisa, Lucas, Madison, Mahaska, Marion, Mills, Monroe, Montgomery, Page, Pottawattamie, Ringgold, Taylor, Union, Van Buren, Wapello, Warren, Washington, and Wayne. No more than 3 bobcats total can be legally harvested by a furharvester in a season. River otters or bobcats trapped in excess of the seasonal bag limit or in a closed area must be turned over to the department; the trapper shall not be penalized.