

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

NRC Business Meeting – Thursday, September 10, 2020

Meeting Convenes at 9:00am			
Teleconference Origination: Brent Olson Visitors Center, 206 Polk St, Pisgah, 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 via Teleconference begins at approximately 9:30 am			
1.	Approval of Agenda Consent Agenda (<i>*within agenda indicates proposed consent agenda item</i>) *7. 2020-2021 Deer Management Zone Hunts (Amended – Honey Creek State Park) *11. Timber Sale Contract with Yoder Sawmill, LLC for Shimek State Forest *12. Timber Sale Contract with Kendrick, Inc. for Yellow River State Forest (1 site) *13. Timber Sale Contract with Kendrick, Inc. for Yellow River State Forest (2 sites)	Decision	Commission
2.	Approve Minutes of 08/13/20 NRC Public Meeting	Decision	Commission
3.	Director’s Remarks	Information	Kayla Lyon
4.	Division Administrator’s Remarks	Information	Dale Garner
5.	FY2022 Budget Request	Decision	Jennifer Nelson
6.	Contract with NatureServe	Decision	Travis Baker
*7.	2020-2021 Deer Management Zone Hunts (Amended – Honey Creek State Park)	Decision	Todd Bishop
8.	Chapter 22, “Part 2, Habitat and Public Access Program” – Final Rule	Decision	Todd Bishop
9.	Chapter 40, Boating Speed and Distance Zoning (Mississippi River) – Final Rule	Decision	Trace Kendig
10.	Contract with Visual Labs, Inc.	Decision	Trace Kendig
*11.	Timber Sale Contract with Yoder Sawmill, LLC for Shimek State Forest	Decision	Jeff Goerndt
*12.	Timber Sale Contract with Kendrick, Inc. for Yellow River State Forest (1 site)	Decision	Jeff Goerndt
*13.	Timber Sale Contract with Kendrick, Inc. for Yellow River State Forest (2 sites)	Decision	Jeff Goerndt
14.	Contract with the University of Iowa	Decision	Travis Baker
15.	Public Land Acquisition Projects		
15.1	North River WMA, Warren County – The Iowa Natural Heritage Foundation	Decision	Travis Baker
15.2	Heendah Hills WMA, Plymouth County – The Nature Conservancy	Decision	Travis Baker
16.	Construction – Small Projects	Information	Travis Baker
17.	Construction – Large Project: Chuck Gipp Decorah Fish Hatchery Stormwater Improvements – Winneshiek County	Decision	Travis Baker
18.	General Discussion - NRC Annual Report		

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.

NRC Field Tour/Presentation Schedule

Date: Wednesday, September 9, 2020

Commission Tour/Presentations begin at approximately 1:30 pm

Starting location: Brent Olson Visitors Center, 206 Polk St, Pisgah, IA

Upcoming NRC Meeting Dates

(For public participation during business meetings, a teleconference connection will be published in the agenda.)

- Thu, 10/08/20, 9:30am, Business Meeting: IA DNR, 502 E 9th St, Des Moines, IA
- Thu, 11/12/20, 9:30am, Business Meeting: IA DNR, 502 E 9th St, Des Moines, IA
- Thu, 12/10/20, 9:30am, Business Meeting: IA DNR, 502 E 9th St, Des Moines, IA

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.

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

Decision Item

5. FY 2022 Budget Request

The Natural Resource Commission's approval is requested for the Department's FY 2022 appropriations request. Guidance received from the Department of Management indicates that the FY 2021 adopted budget will be the basis for operating appropriations for the FY 2022 requests. The budget is required by statute to be submitted to the Department of Management by October 1, 2020.

APPROPRIATION NAME	FY 21 Appropriation	FY 22 Department Request	Increase/ (Decrease)
<u>GENERAL FUND</u>			
Department Operations	\$11,958,058	\$11,958,058	\$0
Floodplain Management	\$1,510,000	\$1,510,000	\$0
Forestry Health Management	\$500,000	\$500,000	\$0
Total General Fund	\$13,968,058	\$13,968,058	\$0
<u>ENVIRONMENT FIRST</u>			
Resource Enhancement and Protection	\$12,000,000	\$12,000,000	\$0
Ambient Air Quality Monitoring	\$425,000	\$425,000	\$0
Water Quality Monitoring	\$2,955,000	\$2,955,000	\$0
GIS Data for Watershed Managers	\$195,000	\$195,000	\$0
Park Operations and Maintenance	\$6,235,000	\$6,235,000	\$0
Floodplain Management	\$375,000	\$375,000	\$0
Animal Feeding Operations	\$1,320,000	\$1,320,000	\$0
Water Supply Appropriation	\$500,000	\$500,000	\$0
Total Environment First Fund	\$24,005,000	\$24,005,000	\$0
<u>NON-GENERAL FUND</u>			
Fish and Wildlife Operations	\$46,273,501	\$46,273,501	\$0
Groundwater Fund	\$3,455,832	\$3,455,832	\$0
UST Administration Match	\$200,000	\$200,000	\$0
Snowmobile Transfer to Fish and Wildlife	\$100,000	\$100,000	\$0
Total Non- General Funds	\$50,029,333	\$50,029,333	\$0
<u>INFRASTRUCTURE</u>			
Lake Water Quality Improvements	\$8,600,000	\$9,600,000	\$1,000,000
Water Trails/Low Head Dam	\$250,000	\$500,000	\$250,000
Park Infrastructure Improvements	\$1,000,000	\$2,000,000	\$1,000,000
Total Rebuild Iowa Infrastructure Fund	\$9,850,000	\$12,100,000	\$2,250,000
TOTAL	\$97,852,391	\$100,102,391	\$2,250,000

Jennifer Nelson, Chief Financial Officer
Budget and Finance Bureau
NRC Meeting Date: September 9, 2020

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

Decision Item

6. Contract with NatureServe

Commission approval is requested for a contract with NatureServe, of Arlington, VA.

Contract Terms

Amount: Not to exceed \$33,500

Dates: September 10, 2020 to November 30, 2021

Funding Source(s): General Fund, Fish & Wildlife Trust Fund (to be allocated based on usage)

Contract Purpose: The Iowa Natural Areas Inventory (NAI) is an interactive website combining geographic information system (GIS) technologies to bring threatened, endangered, special concern, and selected rare species data and maps to professional natural resource managers as well as to the public. NAI data are used to facilitate land management decisions, conservation planning, as well as for permit review and regulatory compliance. The funding to support the system is based on individual users; usage is tracked by the application server, similar to other agency cloud applications.

The current NAI application was developed and has been maintained by DNR IT staff since 2004. The NAI application is no longer functioning as intended and IT has determined it is no longer viable or cost effective to maintain or redevelop the program. In their research for viable options, they have determined NatureServe will meet the needs of the NAI and its users.

NatureServe will provide the DNR a biodiversity tracking software package and cloud-based web application, NatureServe Biotics5, customized for Iowa, to modernize and replace the existing NAI application. Biotics5 is a GIS developed program that will manage natural heritage data and is the standard used by the state natural heritage programs nationwide. Contract tasks include:

- Develop and provide an Iowa instance of Biotics5 using NAI data and make it available to DNR for review, testing, and acceptance.
- Provide hosting, support, and maintenance for Biotics5.

Selection Process Summary: The DNR and OCIO/IT followed the Department of Administrative Services procedures to obtain approval for sole source procurement, authorized under 11 IAC 118.

Travis Baker, Land and Waters Bureau Chief
Conservation and Recreation Division
NRC Meeting Date: September 10, 2020

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

Decision Item (**indicate proposed consent*)

***7. 2020-2021 Deer Management Zone Hunts (Amended – Honey Creek State Park)**

The Commission is requested to approve a Honey Creek State Park staff proposed amendment to its previously-approved special Deer Management Zone (DMZ) Hunt for the upcoming season as required by 571 Iowa Administrative Code chapter 105. The DMZ list includes zones open to hunting, season dates, legal weapons, license types and quotas, and other information required by rule.

The Commission approved a special DMZ hunt for Honey Creek State Park in June with season dates of 10/24/20-10/25/20. Honey Creek State Park and Wildlife staff request modifying these dates to 11/21/20-11/22/20. The original dates presented should have been in November, which are in relation to the annual disabled veterans hunt held in the Park.

2018-2019 Deer Management Zones – Amended							
Zone Name	Zone #	Season Name	Season #	Season begins	Season ends	License Quota	Any deer
Honey Creek State Park	85	Reg Gun 1	5	10/24/20 11/21/20	10/25/20 11/22/20	50	0

Todd Bishop, Wildlife Bureau Chief
Conservation and Recreation Division
NRC Meeting Date: September 10, 2020

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

Decision Item

8. Chapter 22, “Part 2, Habitat and Public Access Program” – Final Rule

The Commission is requested to adopt a final rule amending Chapter 22, “Part 2, Habitat and Public Access Program”

Basic Intent of Current Rule: The purpose of this chapter is to designate procedures by which revenues from the state fish and game protection fund will be used to assist landowners in establishing wildlife habitat on private lands. These rules authorize department staff to work with conservation organizations, educational groups, and private landowners to improve wildlife habitat on private land.

NOIA Process: The Iowa Habitat and Access Program (IHAP) exists to encourage private landowners to voluntarily open their lands to public hunting in exchange for on-site wildlife habitat technical and financial incentives from the DNR. The Notice of Intended Action (NOIA) rule contained two amendments to Chapter 22.

1. 22.14: Strike from the rule an adoption by reference of the program’s agreement template. During the program’s initial roll out, the program’s agreement template was adopted by reference in rule in order to provide extra levels of transparency. Nearly a decade into this very popular program, this is no longer necessary and, elsewhere in the chapter, rules outline the agreement’s overall scope and general terms and these rules shall remain. Also, the agreement’s template will continue to be available on the Department’s website for any interested parties to review at their convenience.
2. 22.14(2): With almost ten years of partnering with voluntary landowners, and evaluating and understanding their abilities and needs, this change would strike language that requires the Department to directly hire the habitat contractor. This change will enable the Department to provide financial incentives to the enrolled landowner directly to complete the habitat work, or allow the landowner to personally hire the contractor of their choice and pay for the work required under the agreement with their allotted IHAP incentive.

The proposed changes were aimed at making improvements to the agreement and growing IHAP in a sustainable way. Hunters have expressed appreciation for IHAP areas and there is high landowner interest in enrolling. These changes will allow both to occur more efficiently.

The NOIA was approved by the NRC on 07/09/20.

The NOIA was published in the Iowa Administrative Bulletin on 07/29/2020, as ARC #5112C. A public hearing was held on 08/18/2020. No comments were received during the public comment period.

Changes from NOIA: None

Effective Date of Final Rule: September 18, 2020

Todd Bishop, Wildlife Bureau Chief
Conservation and Recreation Division
NRC Meeting Date: 09/10/20

Attachment: Chapter 22, “Habitat and Public Access Program”- Final Rule

NATURAL RESOURCE COMMISSION [571]

Adopted and Filed

The Natural Resource Commission (Commission) hereby proposes to amend Chapter 22, Part 2, "Habitat and Public Access Program," Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 483A.3B(3)"c"(1).

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 483A.3B(3).

Purpose and Summary

The Iowa Habitat and Access Program ("IHAP" or "program") was started in 2011. The program exists to encourage private landowners to voluntarily open their lands to public hunting in exchange for on-site wildlife habitat technical and financial assistance from the Department of Natural Resources (Department). The program's eligibility criteria, application processes, and assessment standards are spelled out in Chapter 22.

The Commission is proposing two changes to the program, the only ones to date since its development. These proposed changes are aimed at making improvements to the agreement and growing IHAP in a sustainable way. Hunters are excited to grow the program, and there is high landowner interest in enrolling. These changes will allow both to occur more easily.

First, the adoption by reference of the program's agreement template shall be stricken. During the program's initial roll-out, the program's agreement template was adopted by reference in order to provide extra levels of transparency. Nearly a decade into this very popular program, this extra level of transparency is no longer necessary. Other rules in the chapter outline the agreement's overall scope and general terms, and those rules shall remain. Additionally, the agreement's template shall continue to be available on the Department's website for any interested parties to read at their convenience.

Second, the Commission is proposing to strike language that requires the Department to directly hire the habitat contractor. This amendment will enable the Department to pay the enrolled landowner directly if the landowner is competent to do the habitat work, or allow the landowner to personally hire the contractor of choice and pay for that work with allotted IHAP funds.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on 07/29/2020, as ARC #5112C.

A public hearing was held virtually on August 18, 2020, at 1:00 p.m. to 2:00 p.m.. No one attended the public hearing.

No public comments were received.

Notice and Final amendments are identical.

Adoption of Rule Making

This rule making was adopted by the Natural Resource Commission on September 10, 2020.

Fiscal Impact

This rule making has no fiscal impact to the state of Iowa. 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. A copy of the jobs impact statement is available from the Department upon request.

Waivers

This rule is subject to the waiver provisions of 571-Chapter 11. 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 Department for a waiver of the discretionary provisions, if any.

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).

Effective Date

This rule making will become effective upon filing on September 18, 2020 because the rule, consistent with Iowa Code section 17A.5(2)"b"(1)(b), confers a benefit or removes a restriction on current or future IHAP participants to the benefit of both them and Iowa's sportsmen and women.

The following rule-making action is adopted:

ITEM 1. Amend paragraph **22.14(456A,483A)**, introductory paragraph, as follows:

571—22.14(456A,483A) Agreements. The commission shall enter into "Iowa Management and Access Program Agreements," ~~version 4-15-11 that is located~~ available on the department's Web site at http://www.iowadnr.gov/wildlife/privatelands/mgt_access.html as well as through the department's central office, ~~and incorporated by reference herein,~~ with approved landowners to carry out the purposes of this program.

ITEM 2. Amend subrule 22.14(2) as follows:

22.14(2) Grant funds. Habitat development money is only available if an agreement has been signed by both parties. ~~No funds shall be paid directly to the landowner, but rather shall go to a habitat development contractor hired by the department.~~ This is not a cost-share program; the department is solely responsible for all habitat development cost.

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

Decision Item

9. Chapter 40, Boating Speed and Distance Zoning (Mississippi River) – Final Rule

The Commission is requested to adopt a final rule to amend Chapter 40, “Boating Speed and Distance Zoning.”

Basic Intent of Current Rule: Chapter 40 provides regulations for the operation of vessels and a system of zoned areas marked with uniform waterway buoys or official signs.

NOIA Process: This rule amendment results from a petition for rulemaking submitted by the Friends of Pool 9. The proposed rule creates a no-wake zone along a portion of the City of Lansing marked by buoys. The zone will extend no more than 300 feet into the Mississippi River channel, starting 800 feet north of river mile marker 662.2 and proceeding to Lansing City Marina Dike. The no-wake zone does not apply to commercial barge traffic. The zone will be marked with permanent signage placed on the north and south shorelines and no wake buoys placed every 1500 feet, for the length of the no-wake zone. The Friends of Pool 9 shall designate and maintain the 5-mile-per-hour speed zone with buoys approved by the natural resource commission.

The Notice of Intended Action was approved by the NRC on 05/14/20.

Notice of Intended Action was published in the Iowa Administrative Bulletin on July 1, 2020, as ARC 5079C. A public hearing was held on August 4, 2020. No comments were received.

Changes from NOIA: None

Effective Date of Final Rule: November 11, 2020.

Trace Kendig, Law Enforcement Bureau Chief
Conservation and Recreation Division
NRC Meeting Date: September 10, 2020

Attachment: Chapter 40, Boating Speed and Distance Zoning - Final Rule

**NATURAL RESOURCE COMMISSION[571]
Adopted and Filed**

The Natural Resource Commission (Commission) hereby amends Chapter 40, “Boating Speed and Distance Zoning,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code sections 462A.3, 462A.26(2) and 462A.32.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code sections 462A.26 and 462A.32.

Purpose and Summary

Pursuant to Iowa Code section 17A.7, the Friends of Pool 9 petitioned the Commission to amend Chapter 40. Friends of Pool 9 represent businesses along the waterfront of the Mississippi River in Lansing, Iowa. Petitioners have indicated that the safety of patrons loading and unloading onto waterfront docks

is put at risk by the wakes of passing boats rocking and jolting the docks. To remedy this, the Friends of Pool 9 requested that the Commission designate a no-wake zone located along a portion of Lansing marked by buoys and extending no more than 300 feet into the Mississippi River channel, starting 800 feet north of river mile marker 662.2 and proceeding to Lansing City Marina Dike. However, the no-wake zone does not apply to commercial barge traffic. The zone will be marked with permanent signage placed on the north and south shorelines, and no-wake buoys will be placed every 1,500 feet for the length of the no-wake zone. The Friends of Pool 9 will be responsible for the placement and maintenance of the buoys designating the no-wake zone.

The Commission supports this change. The Commission agrees that a no-wake zone will ensure patron safety while they are loading and unloading at local businesses, which benefits Allamakee County's tourism and local economy. The change does not significantly affect general use of the river in this area, because the no-wake zone will not extend more than 300 feet into the Mississippi River channel and will not include commercial barge traffic.

Fiscal Impact

This rule making has no fiscal impact to the state of Iowa. 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. However, the City of Lansing is a large tourist community for the county and positively impacts the local economy. A copy of the jobs impact statement is available from the Department upon request.

Waivers

This rule is subject to the waiver provisions of 571—Chapter 11. 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 Commission for a waiver of the discretionary provisions, if any.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on July 1, 2020, as **ARC 5079C**. A public hearing was held virtually on August 4, 2020 from 1-2 p.m. No one attended the public hearing. No public comments were received during the open comment period. No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the Commission on September 10, 2020

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).

Effective Date

This rule making will become effective on November 11, 2020.

The following rule-making actions are adopted:

Adopt the following **new** rule 571—40.62(462A):

571—40.62(462A) Zoning of the Mississippi River, Lansing, Allamakee County.

40.62(1) All vessels, except commercial barge traffic, shall be operated at a speed not greater than 5 miles per hour within an area extending 300 feet from shore and beginning at a point 800 feet north of river mile marker 662.2 and proceeding to Lansing City Marina Dike.

40.62(2) The Friends of Pool 9 shall designate and maintain the 5-mile-per-hour speed zone with buoys approved by the natural resource commission.

This rule is intended to implement Iowa Code sections 462A.26 and 462A.32.

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

Decision Item

10. Contract with Visual Labs, Inc.

Commission approval is requested for a contract with Visual Labs, Inc. of Menlo Park, California.

Contract Terms

Amount: Not to exceed \$95,800.00

Dates: September 15, 2020 to September 15, 2022

Funding Source(s): Fish and Wildlife Trust Fund

Contract Purpose: Over a year ago, the Department began exploring the use of body cameras for its certified Peace Officers. Due to the unexpected nature involved in police encounters, and possible volatile situations, officers and citizens should have the content of interactions available if needed. After much research, and testing of four body camera companies, a consultant was hired to evaluate the results from the companies that were tested, data storage needs, and officer requirements. It was determined, based the Department's needs and services provided by the body camera companies, Visual Labs was the best solution due to its unique cell phone based application, which provides the best connectivity in the field.

Cell phone devices will be deployed to our current DNR Law Enforcement Bureau officers (80) and will be used primarily as a body worn camera to record the audio and video of interactions between DNR staff and the general public. While the Visual Labs Application is engaged, each device will also record, and in certain cases transmit, the approximate physical location (i.e. latitude and longitude) of the device. Devices will be activated with a cellular carrier; the cost of this connectivity is the responsibility of the DNR.

This two-year contract will provide service to the Law Enforcement Bureau staff. Visual Labs, Inc., will:

- Implement and train all DNR Law Enforcement staff on the equipment and software.
- Provide the DNR with its proprietary smartphone application to store body camera footage (e.g. video, photo) as an encrypted file. (The footage will be stored in a "sandboxed" portion of internal storage such that it is not accessible by the user or other applications. The encrypted footage is then uploaded via an encrypted connection to Visual Labs hosted website, Microsoft Azure Government Cloud, which receives an A+ rating on the SSL Labs Server Test tool. The footage is stored and encrypted for the agreed upon time of 180 days; authorized DNR staff have the ability to change the retention period of any specific file. Once the upload is successful, footage is deleted from the employee's device. On a daily basis, footage is backed up to the Microsoft Azure Government Cloud. If an upload connection is unavailable, the footage will be stored on the device until service is available to upload the data.)

Cost for the service includes: \$45 per month per device subscription fee. Each subscription will include a monthly allowance of up to 600 hours of video uploads, up to 600 hours of audio recordings uploaded, up to 5 hours of live streaming video, and up to 1,500 photos via the photo sequence function or the incident reporting function. Devices added during the month will have monthly allowances on a pro rata basis. All footage is owned by the DNR.

Selection Process Summary: The DNR followed the Department of Administrative Services procedures to obtain approval for sole source procurement, authorized under 11 IAC 118.

Trace Kendig, Law Enforcement Bureau Chief
Conservation and Recreation Division
NRC Meeting Date: September 10, 2020

Iowa Department of Natural Resources
Natural Resource Commission

Decision Item (*indicates proposed consent)

***11. Timber Sale Contract with Yoder Sawmill, LLC for Shimek State Forest**

Commission approval is requested for a timber sale contract with Yoder Sawmill, LLC of Bonaparte, IA, for Shimek State Forest.

Contract Terms

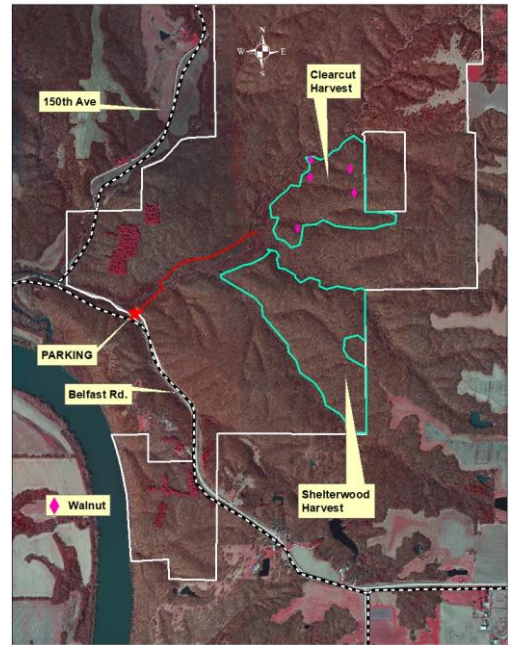
Income: \$68,200.00

Dates: 10/01/20 to 03/31/22

Fund Deposited to: Conservation Fund - Forestry

Contract Purpose: This contract will facilitate a hardwood timber harvest of an estimated 143,520 board feet in 735 mixed hardwood trees at Shimek State Forest in Lee County. An even-aged management system will be used in accordance with the Shimek State Forest Management Plan to allow sunlight to stimulate the growth of oak 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 area forester and supervisor reviewed the bid proposals and the highest bid from the most responsive and responsible bidder was selected.

Date bids received: 8/18/20

Number of Bids Received: 2

Recommendation: Yoder Sawmill, LLC

Bidder	City, State	Amount of Bid
Yoder Sawmill, LLC	Bonaparte, IA	\$68,200.00
Al Cole Logging	Strawberry Point, IA	\$35,057.00

Jeff Goerndt, State Forester
Conservation and Recreation Division
NRC Meeting Date: September 10, 2020

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

Decision Item (*indicates proposed consent)

***12. Timber Sale Contract with Kendrick, Inc. for Yellow River State Forest (1 Site)**

Commission approval is requested for a timber sale contract with Kendrick, Inc. of Edgewood, IA, for Yellow River State Forest.

Contract Terms

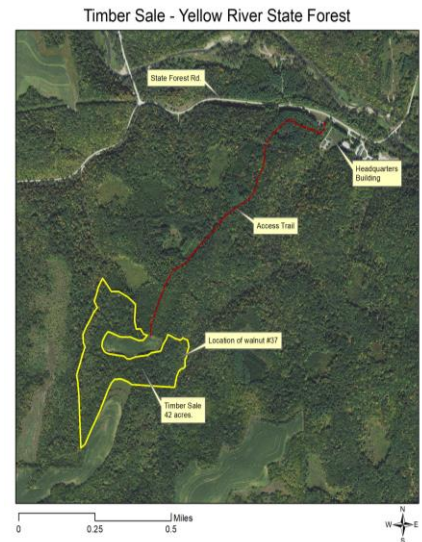
Income: \$95,000.00

Dates: 10/01/20 to 03/31/22

Fund Deposited to: Conservation Fund - Forestry

Contract Purpose: This contract will facilitate a hardwood timber harvest of an estimated 134,140 board feet in 693 mixed hardwood trees at Yellow River State Forest in Allamakee County. This timber harvest will remove trees in a mixed hardwood stand, which will help to create and maintain an uneven-aged stand structure with well-developed mid-story and understory canopy layers which will benefit certain wildlife species. A natural areas inventory was conducted and there are no known threatened and endangered species in the harvest areas. Harvesting and regenerating this stand will help improve the overall health and vigor of the forest. Prescribed fire may be used periodically as a management tool to stimulate oak regeneration and control competing vegetation after the harvest.

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 an 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 area forester and supervisor reviewed the bid proposals and the highest bid from the most responsive and responsible bidder was selected.

Date bids received: 8/19/20

Number of Bids Received: 5

Recommendation: Kendrick, Inc.

Bidder	City, State	Amount of Bid
Kendrick, Inc.	Edgewood, IA	\$95,000.00
Jones Wood Heating and Logging, LLC	McGregor, IA	\$80,460.00
Weiland & Sons Lumber Company	Winthrop, IA	\$73,547.00
Dan Jones Logging	Waterville, IA	\$72,593.00
J. Kubitz Logging, Inc.	Dubuque, IA	\$54,851.00

Jeff Goerndt, State Forester
Conservation and Recreation Division
NRC Meeting Date: September 10, 2020

Iowa Department of Natural Resources
Natural Resource Commission

Decision Item

14. Contract with the University of Iowa

Commission approval is requested for a contract with the Iowa Geological Survey at the University of Iowa, of Iowa City, Iowa.

Contract Terms:

Amount: Not to exceed \$ 287,467.00

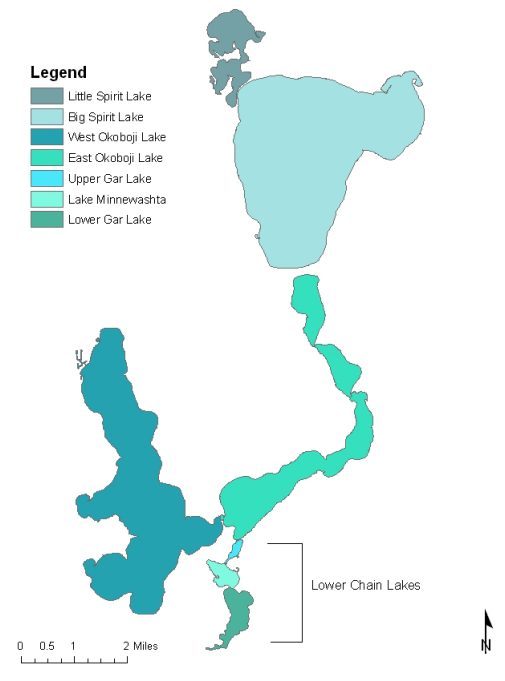
Dates: Sept. 10, 2020 to June 30, 2023

Funding Source(s): Lake Restoration Program

Background: The DNR recognizes that the Iowa Great Lakes (IGL) are a significant public resource, and serve as a recreational hub for both Iowa residents and visitors from adjacent states. Encompassing approximately 90,630 acres, the IGL watershed drains to 8 natural lakes in Northwest Iowa. DNR has worked to support efforts to improve and protect water quality in the Iowa Great Lakes.

Watershed and in-lake protection have a long history at the IGL. In 2006, local partners worked to create the first iteration of the watershed management plan to address impairments at several of the lakes. This plan included a land use cover assessment and identified direct and indirect pathways for nutrients and sediment to travel to each of the Iowa Great Lakes. The plan also highlighted conservation practices that would benefit overall water quality.

In 2010 Iowa State University completed a Diagnostic and Feasibility Study on the lower chain of lakes (Upper Gar, Minnewashta, and Lower Gar) to address water quality concerns at these lakes, including nuisance algae blooms and low water clarity. Following the completion of the Diagnostic and Feasibility Study, the Watershed Management Plan for the Iowa Great Lakes was updated with new insight to ways that phosphorus loads could be reduced in the Lower Gar watershed. However, this study did not account for water movement and pollutant loads into Upper Gar Lake from East Okoboji Lake, which turned out to be the majority of the total phosphorus load and partners acknowledged that additional future monitoring and modelling work would be needed to better understand pollutant loads to the greater IGL region and target best management practices throughout the watershed and restoration strategies within the lakes.



Since the program's inception, the Lake Restoration Program (LRP) has used best available information to partner with a variety of local partners to improve the IGL. Together, partners have invested over \$7 million in watershed practices and in-lake restoration techniques to enhance the lakes. Additionally, the LRP has worked with Ducks Unlimited, and the DNR's Fisheries and Wildlife Bureaus, to restore and enhance numerous wetlands in the watershed, providing important habitat for a variety of animals and reducing sediment and nutrient loads to the lakes.

While efforts throughout the IGL have helped preserve water quality, a continued targeted approach that utilizes updated best science is needed to help project partners develop new cost-effective restoration strategies, better target watershed best management practices, and update the Watershed Management Plan. This study will help

project partners take the next step in better understanding the watershed as a whole and ultimately lead to a better approach for targeting practices throughout the IGL that will yield the best return on investment for years to come.

Contract Purpose: The purpose of this Contract is to work with the University of Iowa's Hydrosience and Engineering group (IIHR) to complete a water budget for the Iowa Great Lakes and monitor nutrient concentrations entering the lakes from the watershed to better understand how nutrient and sediment pollution is reaching the IGL. The long-term goal of this project is to model nutrient pollution for the entire IGL watershed so project partners can better identify and target watershed and lake restoration efforts. This contract represents step two in a four step process for updating the watershed plan for the lake and understanding how nutrients influence water quality in each of the lakes.

Step 1. Water level monitoring study completed in 2019 by IIHR (approximately \$100,000; funded by local partners). This study focused on addressing high water levels contributing to shoreline erosion at West Lake Okoboji and how altering the outlet below Lower Gar Lake would affect water levels in West Okoboji Lake and the lower chain. Through this process, IIHR developed a model (called the GHOST model) to understand the interaction of ground and surface water within the Great Lakes.

Step 2. (*This project*): Install additional ground water monitoring wells and complete surface water monitoring to build a complete water budget for the Iowa Great Lakes. This step will utilize the GHOST model developed in the Step 1 and expand the monitoring network to include all of the lakes within the IGL. Real-time water level and turbidity sensors will be installed at several points within the watershed to estimate phosphorus loads to the IGL (turbidity can be used as a proxy for sediment-bound phosphorus). Additionally, water quality samples will be collected throughout the IGL watershed to estimate loads from small sub-basins within the IGL watershed. All of these data will then be used in concert with the GHOST model to show how water and nutrients are moving at the IGL (both surface and groundwater).

Step 3. The third step in this process (currently being developed by project partners, with an anticipated start date of spring 2021) will include in-lake monitoring to understand how nutrients are being utilized and recycled within the lakes and how nutrients are moving from lake to lake within the chain of lakes. This step will rely heavily on a network of local volunteers and staff to complete the monitoring, as well as utilizing data currently being collected on the two monitoring buoys at the IGL (on Big Spirit Lake and West Okoboji Lake).

Step 4. The final step in this process is putting all of the data together and working with the community to update the Watershed Management Plan. This plan will utilize the most up to date science and help project partners target watershed and in-lake restoration efforts where they will be most beneficial (to be completed in 2022 and 2023).

Anticipated Future Work: As outline in the steps above, future work will include in-lake monitoring and geotechnical work to better understand how nutrients and water are moving from to lake to lake and recycled within lakes, and all monitoring and modelling results will be used to update the watershed management plan for the Iowa Great Lakes that will serve as the backbone for all management decisions for project partners. The committed local partnerships and input has been and is critical for the success of this process.

Selection Process Summary: Intergovernmental contracting with the University of Iowa is authorized under 11 IAC 118.4. Also contracts with state universities and other public agencies for laboratory work, scientific field measurement and environmental quality evaluation services necessary to implement Iowa Code Chapter 455B is authorized under Iowa Code section 455B.103(3).

Travis Baker, Land and Waters Bureau Chief
Conservation and Recreation Division
NRC Meeting Date: September 10, 2020

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

Decision Item

15. Public Land Acquisition Projects

15.1. North River WMA, Warren County – The Iowa Natural Heritage Foundation

The Natural Resource Commission is requested to approve a purchase of a tract of land located near North River WMA.

Seller: The Iowa Natural Heritage Foundation

Acreage: 80 Acres

DNR Purchase Price: \$360,000

Appraised Price: \$360,000

Property Description: This property is located in northern Warren county about 1 mile south of State Highway 5 and about 2 miles east of the City of Norwalk. Access will be provided by a county, level-B dirt road. The tract is located within the North River Floodplain and has been subjected to yearly flooding events. The property is also enrolled in a Conservation Reserve Program. The property can be described as mix of bottom-land grasses with timbered borders and ditches.

Purpose: This acquisition will provide for public access to hunting and other outdoor recreational opportunities. The tract will be managed to benefit pheasant habitat as well as wetland restoration.

DNR Property Manager: Wildlife Bureau

Funding Source(s): \$270,000 Federal Pittman Robertson, \$90,000 Wildlife Habitat Stamp

Incidental Costs: No surveying or fencing costs are anticipated. Incidental closing costs will be the responsibility of the Department. This property will remain on the Warren County property tax rolls.

15.2. Heendah Hills WMA, Plymouth County – The Nature Conservancy

The Natural Resource Commission's approval is requested to purchase a tract of land located near Stone State Park.

Seller: The Nature Conservancy

Acreage: 243 acres

DNR Purchase Price: \$335,000

Appraised Price: \$773,000

Property Description: This property is located adjacent north of Stone State Park, 6 miles north of Sioux City in southern Plymouth County. The property is described as a rectangular-shaped tract of a mix of open grass with the remainder being heavily wooded acres. The property is moderately sloped, to steep, with open grass ridges and wooded side hills and ravines. Multiple draws with creeks exist on the east and southwest sides. These contain hardwood trees ranging from 3 to 36 inches and some pine trees. The open grass areas contain grass 2 to 3 feet high.

Purpose: This acquisition will provide for public access to hunting and other outdoor recreation opportunities, while being managed as a high-quality grassland. This tract of land is near the larger Broken Kettle Grasslands which is home to Iowa's largest remaining prairie and over 200 bison. Wildlife species in the vicinity include prairie rattlesnakes, deer, turkey, various insects as well as unique grassland birds.

DNR Property Manager: Wildlife Bureau

Funding Source(s): REAP Public/Private

Incidental Costs: Incidental closing and survey costs will be the responsibility of the Department. This property will remain on the Plymouth County property tax rolls.

Travis Baker, Land and Waters Bureau Chief

Conservation and Recreation Division

NRC Meeting Date: September 10, 2020

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

Information Item

16. 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
7/9/20	20-04-39-04 Parks	Springbrook State Park	Guthrie	Replace the shifting dry-stack stone retaining walls at Sherburne Cabin with reinforced block retaining walls, provide minor grading around the south side of the cabin, and install a new guardrail at the end of the patio on the SE side of the cabin.	\$40,000	\$31,170.00 \$15,667,507.34* (*bidder miscalculated)
7/30/20	20-05-26-03 Parks	Lake Wapello State Park	Davis	Pour concrete for one ADA parking stall and a 25' sidewalk. Also paint pavement markings and install an ADA parking sign.	\$4,500	\$4,000.00 \$4,999.90 \$6,202.00 \$12,830.00
7/30/20	19-03-03-01 Fisheries	Waterloo Creek WMA	Allamakee	Clearing and grubbing of all vegetation within the parking lot maintenance project grading boundaries. Install 265 ton Cl. 'A' crushed stone. Salvage and reinstall gate posts and cable and parking lot boundary rocks.	\$46,000	\$24,182.25 \$28,343.50 \$30,270.00 \$35,994.50
7/30/20	18-06-96-03 Fisheries	Decorah Fisheries Management Unit	Winneshiek	Clearing and grubbing of all vegetation within the project grading boundaries at two locations to	\$50,000	\$32,557.95 \$33,976.15 \$36,765.00 \$37,421.10

				create parking areas. Install 191 ton of Class 'A' crushed stone.		
8/20/20	21-03-10-01 Policy & Coordination	Wapsipinicon River, Littleton Dam	Buchanan	Reset 35 weir stones, add 201 tons of choke stone and reset bench stones.	\$65,000	\$11,265.00 \$42,175.00 \$53,403.00 \$69,325.00 \$178,290.00
8/20/20	19-01-81-01 Wildlife	Black Hawk Marsh & Sac City Access Wildlife Areas	Sac	Repair drainage issues and add granular surfacing to the roadways.	\$49,000	\$32,505.80 \$32,750.00 \$37,754.60 \$42,738.50 \$45,441.50

Travis Baker, Land and Waters Bureau Chief
Conservation and Recreation Division
NRC Meeting Date: September 10, 2020

Iowa Department of Natural Resources
Natural Resource Commission

Decision Item

17. Construction – Large Project: Chuck Gipp Decorah Fish Hatchery Stormwater Improvements – Winneshiek County

The Department requests Commission approval of the following construction project:

Project Summary: The Chuck Gipp Decorah Fish Hatchery is located one mile south of Decorah in Winneshiek County. The limestone office and residence date back to the 1930s as a project of the Civilian Conservation Corps. The hatchery has 24 concrete flow-through raceways and three rubber lined earthen ponds. The hatchery is a production rearing station for growing Shasta strain rainbow trout. About 130,000 catchable-size rainbow trout are raised each year. Decorah fish hatchery personnel are responsible for stocking 15 put-and-take streams in Allamakee, Howard, Mitchell and Winneshiek counties. The hatchery also stocks five seasonal urban lakes in Mason City, Sioux City, Spencer, Ames and Ankeny or Bondurant.

Currently, stormwater runoff from the parking lot and impervious drives around the trout runs drain to Trout Creek via a turf grass ditch and underground culvert, with little opportunity for treatment. This project will construct a bioretention cell in the grass ditch in order to promote infiltration of the stormwater and capture suspended sediments before they have an opportunity to reach Trout Creek. The cell will be populated with native plantings. Because this project is located in a popular visitor destination, it will also serve as a working example of a Best Management Practice to the public. Interpretive signage will be installed by staff at the completion of the project.

Construction Needed: This project consists of constructing a stormwater infiltration basin and a trench drain.



Engineering Project #: 20-03-96-01

Cost Estimate: \$175,000.00

Operating Bureau: Fisheries

Funding Source: EPA Section 319 Grant

Plans Issue Date: 7/27/2020

Bid Letting Date: 8/20/2020

Construction Completion Date: 3/31/2020

Number of Bids Received: 4

Bidders

Rausch Construction, Inc.	Fort Atkinson, IA	\$149,871.00
Matt Construction, Inc.	Sumner, IA	\$151,368.30
Pirc-Tobin Construction, Inc.	Alburnett, IA	\$163,354.40
Tschiggfrie Excavating Co.	Dubuque, IA	\$206,764.00

Upon Engineering's review of bids, DNR recommends awarding the contract to Rausch Construction, Inc.

Travis Baker, Land and Waters Bureau Chief
Conservation and Recreation Division
NRC Meeting Date: September 10, 2020