

**ENVIRONMENTAL PROTECTION COMMISSION [567]
Notice of Intended Action**

Proposing to rescind and reserve chapter

The Environmental Protection Commission (Commission) hereby proposes to rescind and reserve Chapter 14, “Environmental Covenants,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 455A.6(6)“a”.

State or Federal Law Implemented

This rule making implements, in whole or in part, Executive Order 10, Iowa Administrative Bulletin, Vol. XLV, No. 16 (Feb. 8, 2023), p. 2145, and Iowa Code section 17A.7(2).

Purpose and Summary

This proposed rulemaking will rescind and reserve Chapter 14. The Uniform Environmental Covenants Act found in Iowa Code chapter 455I is self-enacting. Therefore, rules are not necessary, nor expressly authorized. Rescinding this chapter will not impact the Department of Natural Resources’ (Department) ability to enter into effective environmental covenants with interested landowners.

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 Commission for a waiver of the discretionary provisions, if any, pursuant to 567-Chapter 13.

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 Department no later than 4:30 p.m. on January 17, 2024. Comments should be directed to Keith.Wilken@dnr.iowa.gov.

Public Hearing

Two public hearings at which persons may present their views orally will be held by conference call as follows. Persons who wish to attend the conference call should contact Keith Wilken at Keith.Wilken@dnr.iowa.gov. A conference call number will be provided prior to the hearing. Persons who wish to make oral comments at the conference call public hearing must submit a request to Mr. Wilken prior to the hearing to facilitate an orderly hearing.

January 16, 2023 at 1:00 pm and

January 17, 2023 at 11:00 am

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 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 is proposed:

ITEM 1. Rescind and reserve **567—Chapter 14**.