

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

NRC TELECONFERENCE Business Meeting – Wednesday, September 7, 2022

TELECONFERENCE Meeting Convenes at 12:00 pm

To attend the teleconference meeting, join via

Video Link: <https://meet.google.com/sco-mbns-qva>

or

Telephone: call 442-242-3609 PIN: 883 789 392#

Public Participation begins at approximately 12:30 pm

| | | | |
|------|--|-------------|-----------------|
| 1. | Approval of Agenda Consent Agenda (<i>*within agenda indicates proposed consent agenda item</i>) *8. Contract with Responsive Management (SCORP Survey) *11. Contract Amendment-1 with Spee-Dee Delivery Service, Inc. *12. Contract Amendment-3 with Iowa State University (State Forest Nursery) *13. Contract with Pheasants Forever, Inc. *14. Contract with Carstens Ag and Tiling, LLC *22. Contract with the Poweshiek County Conservation Board (Diamond Lake Park) *24. Contract with Stantec Consulting Services, Inc. | Decision | Commission |
| 2. | Approve Minutes of 08/11/22 NRC Public Meeting | Decision | Commission |
| 3. | Director's Remarks | Information | Kayla Lyon |
| 4. | Division Administrator's Remarks | Information | Pete Hildreth |
| 5. | Donations | Decision | Pete Hildreth |
| 6. | Fiscal Year 2024 Budget Request | Decision | Jennifer Nelson |
| 7. | Contract Amendment – 1 with Visual Labs, Inc. | Decision | Craig Cutts |
| *8. | Contract with Responsive Management (SCORP Survey) | Decision | Michelle Wilson |
| 9. | Contract with Friends of Lake Darling State Park | | Sherry Arntzen |
| 10. | Timber Sale Contract with RJ Lumber, L.L.C. – Lee County (Shimek State Forest) | Decision | Jeff Goerndt |
| *11. | Contract Amendment-1 with Spee-Dee Delivery Service, Inc. | Decision | Jeff Goerndt |
| *12. | Contract Amendment-3 with Iowa State University (State Forest Nursery) | Decision | Jeff Goerndt |
| *13. | Contract with Pheasants Forever, Inc. | Decision | Todd Bishop |
| *14. | Contract with Carstens Ag and Tiling, LLC | Decision | Todd Bishop |
| 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 23 – Wildlife Habitat Promotion with Local Entities Program Grant Recommendations | Decision | Todd Bishop |
| 18. | Contract with Iowa State University (CWD Specialists) | Decision | Todd Bishop |

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.

| | | | |
|---|---|-------------|--------------|
| 19. | Contract with Iowa State University, College of Veterinary Medicine | Decision | Todd Bishop |
| 20. | Construction – Small Projects | Information | Travis Baker |
| 21. | Construction – Large Projects | | |
| 21.1 | Rathbun WMA, Road Maintenance – Appanoose/Lucas Counties | Decision | Travis Baker |
| 21.2 | Odessa WMA, Access Road Maintenance – Louisa County | Decision | Travis Baker |
| 21.3 | Heytman’s Landing Access, Channel Maintenance Dredging – Allamakee County | Decision | Travis Baker |
| *22. | Contract with the Poweshiek County Conservation Board (Diamond Lake Park) | Decision | Travis Baker |
| 23. | Contract Amendment-1 with the Office of the State Archeologist at the University of Iowa | Decision | Travis Baker |
| *24. | Contract with Stantec Consulting Services, Inc. | Decision | Travis Baker |
| 25. | General Discussion <ul style="list-style-type: none"> NRC Discussion of Administrative Law Judge Cases | | |
| Upcoming NRC Meeting Dates <ul style="list-style-type: none"> Thu, 10/13/22, 9:30am, Business Meeting (Polk County) Thu, 11/10/22, 9:30am, Business Meeting (Polk County) Thu, 12/08/22, 9:30am, Business Meeting (Polk County) | | | |

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: |
|------------------------------|------------|---|--|
| Fish and Wildlife Trust Fund | \$40.00 | Funds to support the Fish and Wildlife Trust Fund in memory of Bill Neal. | Tamara Winn |
| Fish and Wildlife Trust Fund | \$910.00 | Funds to support the Fish and Wildlife Trust Fund | Michael Harryman |
| Fish and Wildlife Trust Fund | \$25.00 | Funds to support the Fish and Wildlife Trust Fund | Katrina Moyna |
| Fish and Wildlife Trust Fund | \$50.00 | Funds to support the Fish and Wildlife Trust Fund in memory of Fred Baze. | Stephanie Bryson |
| Parks and Forestry | \$100.00 | Funds to support Parks and Forestry in memory of Amy Higgins. | Janette Dolabson |
| Parks and Forestry | \$100.00 | Funds to support Parks and Forestry in memory of Jorgan Hammond. | Mark Hammond |
| Fish and Wildlife Trust Fund | \$30.00 | Funds to support the Fish and Wildlife Trust Fund | Richard Kurtenbach |
| Fish and Wildlife Trust Fund | \$330.00 | Fish and Wildlife Trust Fund in memory of Gary Thomas. | Barb Thomas |
| Fish and Wildlife Trust Fund | \$25.00 | Fish and Wildlife Trust Fund in memory of Gary Thomas. | Joyce Bowie |
| Fish and Wildlife Trust Fund | \$50.00 | Fish and Wildlife Trust Fund in memory of Gary Thomas. | Robert Oostendorp |
| Fish and Wildlife Trust Fund | \$25.00 | Fish and Wildlife Trust Fund in memory of Gary Thomas. | Anne Tabor |
| Fish and Wildlife Trust Fund | \$20.00 | Fish and Wildlife Trust Fund in memory of Gary Thomas. | Jean Manasmith |
| Parks and Forestry | \$500.00 | Funds to support Parks and Forestry in memory of Bob Leete (step-brother) of Hawkeye, IA. | Robin Keller and Henry Mark McMillan |
| Fish and Wildlife Trust Fund | \$30.00 | Funds to support the Fish and Wildlife Trust Fund | Richard Kurtenbach |
| General Fund | \$1,000.00 | Donation to support the General Fund in honor of "exceptional educational outreach" by DNR staff, Paul Frese, Miark Vitosh, and Jen Kurth. | Elisabeth Swain, Executive Director, Iowa Master Naturalists |
| Fish and Wildlife Trust Fund | \$319.50 | Funds donated from having a cookie and lemonade stand to support the Fish and Wildlife Trust Fund, as well as encouraging others to care for our natural resources! | Olivia Pothoven and Madeline McCullough Kelley, c/o Amy Pothoven |
| Red Haw State Park | \$25.00 | Funds to support Red Haw State Park's restoration efforts in memory of Sam Irving. | John & Judy Wooton |
| Red Haw State Park | \$35.00 | Funds to support Red Haw State Park's restoration efforts in memory of Sam Irving. | Tony & Melodee Irving |
| Lake Macbride State Park | \$351.85 | Funds for improvements at Lake Macbride State Park. | Anonymous |

| | | | |
|------------------------------|----------|---|-------------------------------------|
| Ledges State Park | \$693.12 | Funds for 19 gallons of stain to restrain the 2 open-air shelters at Ledges State Park | Friends of the Ledges, Inc. |
| Ledges State Park | \$948.48 | Funds for lumber and hardware to construct all new picnic tables for the 2 open-air shelters at Ledges State Park | Friends of the Ledges, Inc. |
| Ledges State Park | \$247.24 | Funds for stain and paint for new picnic tables at Ledges State Park open air shelters. | Friends of the Ledges, Inc. |
| Lake Macbride State Park | \$250.00 | Funds for improvements at Lake Macbride State Park. | Rick Chase, Chase Family Boat Sales |
| Fish and Wildlife Trust Fund | \$95.00 | Funds to support the Fish and Wildlife Trust Fund in memory of Jim Souhrada. | Emilie Souhrada |
| Fish and Wildlife Trust Fund | \$25.00 | Funds to support the Fish and Wildlife Trust Fund in memory of Jim Souhrada. | Connie Liljegren |
| Fish and Wildlife Trust Fund | \$100.00 | Funds to support the Fish and Wildlife Trust Fund in memory of Jim Souhrada. | Leslie Peltz |

Pete Hildreth, Division Administrator
Conservation and Recreation Division
NRC Meeting Date: 09/07/22

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

Decision Item

6. FY 2024 Budget Request

The Natural Resource Commission's approval is requested for the Department's FY 2024 appropriations request. Guidance received from the Department of Management indicates that the FY 2023 adopted budget will be the basis for operating appropriations for the FY 2024 requests. The budget is required by statute to be submitted to the Department of Management by October 1, 2022.

| APPROPRIATION NAME | FY 23 Appropriation | FY 24 Department Request | Increase/ (Decrease) |
|---|--------------------------------|---|---------------------------------|
| <u>GENERAL FUND</u> | | | |
| Department Operations | \$12,093,061 | \$12,093,061 | \$0 |
| State Park Operations | \$1,000,000 | \$1,000,000 | \$0 |
| Floodplain Management | \$1,510,000 | \$1,510,000 | \$0 |
| Forestry Health Management | \$500,000 | \$500,000 | \$0 |
| Total General Fund | \$15,103,061 | \$15,103,061 | \$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 | \$48,397,337 | \$48,397,337 | \$0 |
| Groundwater Fund | \$3,455,832 | \$3,455,832 | \$0 |
| UST Administration Match | \$200,000 | \$200,000 | \$0 |
| UST Fund Technical Assistance | \$200,000 | \$200,000 | \$0 |
| Snowmobile Transfer to Fish and Wildlife | \$100,000 | \$100,000 | \$0 |
| Total Non-General Funds | \$52,353,169 | \$52,353,169 | \$0 |
| <u>INFRASTRUCTURE</u> | | | |
| Lake Water Quality Improvements | \$9,600,000 | \$9,600,000 | \$0 |
| Water Trails/Lowhead Dams | \$1,500,000 | \$1,500,000 | \$0 |
| Park Infrastructure Improvements | \$5,000,000 | \$5,350,000 | \$350,000 |
| Community Forestry Grant Program | \$250,000 | \$250,000 | \$0 |
| Ft. Atkinson | \$350,000 | \$0 | (\$350,000) |
| On-Stream Impoundment | \$500,000 | \$500,000 | \$0 |
| Total Rebuild Iowa Infrastructure Fund | \$17,200,000 | \$17,200,000 | \$0 |
| TOTAL DEPARTMENT REQUEST | \$108,661,230 | \$108,661,230 | \$0 |

Jennifer Nelson, Chief Financial Officer
NRC Meeting Date: September 7, 2022

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

Decision Item

7. Contract Amendment – 1 with Visual Labs, Inc.

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

Amendment- 1 Terms:

Amendment Amount: Not to exceed \$211,200

Amendment Dates: 9/16/2022 to 9/15/2026

Funding Source(s): Fish and Wildlife Trust Fund

Amendment Purpose: The DNR's Law Enforcement Bureau has utilized cell phone-based body worn cameras for the last two years to record video and audio of interactions between conservation officers and the general public as officers are working in an enforcement capacity. Conservation Officers currently use department-issued cell phones with a proprietary body-camera application developed and provided by Visual Labs. When the Visual Labs application is engaged on the officer's cell phone, high definition geo-tagged video is created, stored and then transmitted to a cloud-based server where it is retained for 180 days (occasionally longer). The video and audio is regularly utilized by officers in the prosecution of law enforcement cases and serves as a resource to command staff when addressing inquiries from the public.

Based on the suitable performance of the application and devices in the field over the last two years, this four year amendment will extend the service with Visual Labs, Inc.. Cost for the service will be:

Years 1 and 2 - \$48.50 per month per device subscription fee

Year 3 - \$50.00 per month per device subscription fee

Year 4 - \$53.00 per month per device subscription fee

Original Contract Purpose: In 2019, 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, 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 provided the best connectivity in the field. The two-year contract provided service to the Law Enforcement Bureau staff. Visual Labs, Inc.:

- 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 was 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 included: \$45 per month per device subscription fee. Each subscription included 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.

Original Selection Process: Sole source procurement, authorized under 11 IAC 118.

Contract History:

Original Contract Terms: Amount \$95,800; Timeframe: 09/15/20 - 09/15/22

Craig Cutts, Law Enforcement Bureau Chief
Conservation and Recreation Division
NRC Meeting Date: September 7, 2022

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

Decision Item (*indicates proposed consent)

***8. Contract with Responsive Management (SCORP Survey)**

Commission approval is requested for a contract with Responsive Management of Harrisonburg, Virginia.

Contract Terms

Amount: Not to exceed \$70,000

Dates: 09/15/22-6/30/23

Funding Source(s): General Fund

Contract Purpose: Iowa submitted the first SCORP (Statewide Comprehensive Outdoor Recreation Plan) in 1968, titled *Outdoor Recreation in Iowa*. This was a comprehensive report that blended reports for Land & Water Conservation Fund, Bureau of Sport Fisheries and Wildlife Planning, and the State Historical Action Program. Over the past 50 years, these plans have been used by city, county, and state agencies in planning and implementing recreational use for Iowans. Grants through programs such as, Fish Habitat, Wildlife Habitat Stamp, Resource Enhancement and Protection, Land & Water Conservation Fund, and Recreational Infrastructure Funds all require projects to reference back to the current SCORP plan and indicate how the projects accomplish goals set forth in the plan. Current SCORP plans are also a requirement of the National Park Service in order for states to receive their portion of Land and Water Conservation Funds. This plan is the 12th edition for Iowa.

A component of each SCORP plan must include a survey of Iowans to consider their recreational uses and interests as well as their satisfaction of natural resource areas and amenities. This contract will gather that information for use in the current plan to be completed by fall of 2023 and submitted to the National Park Service.

Selection Process Summary: The Department solicited bids from targeted small businesses and also published an Informal Request for Bids on the Department of Administrative Services website. Criteria in the RFB included providing proof of experience and equipment needed to complete the tasks.

Bids Due Date: 8/19/22

Bids Reviewed: 2

Recommendation: Responsive Management

| Vendor | Vendor Location (city, state) | Cost |
|--|-------------------------------|--------------|
| Responsive Management | Harrisonburg, Virginia | \$70,000.00 |
| University of Iowa, Social Science Research Center | Iowa City, Iowa | \$106,023.79 |

Michelle Wilson, Executive Officer
Conservation and Recreation Division
NRC Meeting Date: September 7, 2022

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

Decision Item

9. Contract with Friends of Lake Darling State Park

Commission approval is requested for a contract with Friends of Lake Darling State Park of Brighton, Iowa.

Contract Terms

Amount: Not to exceed \$194,000.00

Dates: August 23, 2022 to December 31, 2023

Funding Source(s): Friends of Lake Darling State Park - Donation

Contract Purpose: In 2022, the Friends of Lake Darling SP (Friends Group) committed to funding a trail project within Lake Darling State Park. In August 2022, the NRC approved the trail related construction project, which noted the donation from the Friends Group. Due to the cost and scope of the trail project, the DNR and Friends Group decided to enter into a contract in order to define the roles of the DNR and the Friends Group and to help outline for the contractor the funding mechanism. Aspects outlined in this contract include:

- The Friends Group will provide funding for this trail project. Their previous support and commitments upheld to projects within the Park have been established and credible (a new lodge, cabins, and other amenities).
- The Friends Group requested Delong Construction, Inc., a local contractor, to complete the project. The DNR has successfully worked with Delong on other projects and they meet the State's Targeted Small Business requirements.
- The DNR will design the trail project and the contractor will complete construction using DNR design plans with DNR oversight. The following is the 08/11/22 NRC approved construction project summary:
Lake Darling State Park is 1,417 acres in size and includes a recently restored beautiful 302-acre lake with almost 18 miles of shoreline. There are numerous hiking opportunities including a 1.5 mile paved fishing trail that is ADA accessible and runs along the south shoreline of the lake. In 2018, a 140' long bridge was constructed and spans across the in-lake silt dam, completing a trail around the lake. In 2020, 0.5 miles of rocked trails were paved.

This project will continue to pave areas of mowed paths connecting the 2020 trail project to an existing parking lot off a park road. This will provide ADA access to large retention ponds that are stocked with fish. Also, the existing rock parking lot will be paved providing seven parking stalls, two of which will be ADA accessible. Paving will reduce the need for maintenance and provide multi-functional use. This project consists of constructing 1,577 feet of trail, ten feet wide, within Lake Darling State Park and 300 SY of a new concrete parking lot. Work includes subgrade preparation, culvert installations, and concrete placement.



Sherry Arntzen, State Parks, Forests, and Preserves Bureau Chief
Conservation and Recreation Division
NRC Meeting Date: September 7, 2022

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

Decision Item

10. Timber Sale Contract with RJ Lumber, L.L.C. – Lee County (Shimek State Forest)

Commission approval is requested for a timber sale contract with RJ Lumber, L.L.C. of Bonaparte, IA, for Shimek State Forest.

Contract Terms

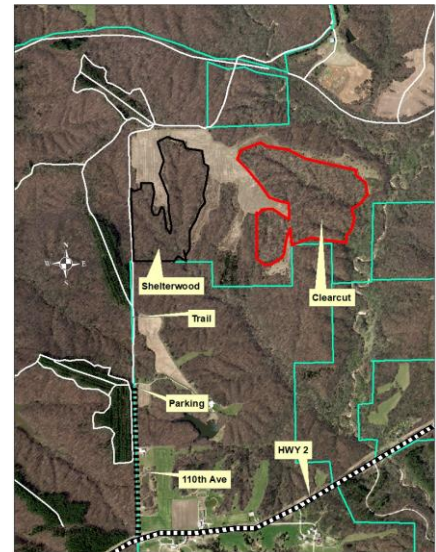
Income: \$226,980.00

Dates: 10/01/22 to 03/31/24

Fund Deposited to: Conservation Fund - Forestry

Contract Purpose: This contract will facilitate a hardwood timber harvest of an estimated 207,460 board feet in 1,416 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: 8/18/22

Number of Bids Received: 4

Recommendation: RJ Lumber, L.L.C.

| Bidder | City, State | Amount of Bid |
|--------------------|-----------------|---------------|
| RJ Lumber, L.L.C. | Drakesville, IA | \$226,980.00 |
| Yoder Sawmill, LLC | Bonaparte, IA | \$184,000.00 |
| Ben Bruggeman | Monticello, IA | \$148,274.00 |
| Kendrick, Inc. | Edgewood, IA | \$116,000.00 |

Jeff Goerndt, State Forester
Conservation and Recreation Division
NRC Meeting Date: September 7, 2022

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

Decision Item (**indicates proposed consent*)

***11. Contract Amendment-1 with Spee-Dee Delivery Service, Inc.**

Commission approval is requested for a contract amendment with Spee-Dee Delivery Service, Inc., of St. Cloud, MN.

Amendment-1 Terms:

Amount: Not to exceed \$75,000.00

Dates: 10/23/2022 to 10/24/2023

Funding Source(s): State Forest Nursery Sales

Amendment Purpose: The purpose of the amendment is to continue shipping services for delivering tree seedlings to customers. The State Forest Nursery ships over 1,000,000 trees to customers within and outside of Iowa. Shipping costs are passed onto the customer for payment.

The State Forest Nursery has used Spee-Dee Delivery for approximately 16 years. They have provided quality service at a reasonable rate. Other major delivery services will not ship the bagged tree packages and/or are unable to meet the low cost Spee-Dee Delivery can provide. Spee-Dee Delivery also charges a flat rate per package versus needing to have staff weigh and measure every bag to determine a shipping cost for each package.

Original Selection Process: The Department solicited quotes from targeted small businesses and also published an Informal Request for Quotes on the Department of Administrative Services website. Criteria in the RFQ included the ability to ship the material as bagged by the Nursery.

Contract History:

Original Contract Terms: Amount \$49,999.00; Timeframe: 10/25/2021 – 10/24/2022

Jeff Goerndt, State Forester, Forestry Section
Conservation and Recreation Division
NRC Meeting Date: September 7, 2022

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

Decision Item (**indicates proposed consent*)

***12. Contract Amendment-3 with Iowa State University (State Forest Nursery)**

Commission approval is requested for a contract amendment with Iowa State University (ISU), of Ames, Iowa.

Amendment-3 Terms:

Amount: Not to exceed \$50,000.00

Dates: October 15, 2022 to October 15, 2023

Funding Source(s): State Forest Nursery Sales

Amendment Purpose: The purpose of the amendment is to increase funds available for the upcoming year's temporary staff at the State Forest Nursery (SFN). Due to the projected increase in tree sales, we anticipate needing more seasonal workers, and with higher labor costs, this will help us to be more competitive in the labor market.

Original Contract Purpose: This contract creates a partnership that allowed ISU students to assist in forestry production aspects at the DNR's State Forest Nursery (SFN) and provided them with experiential learning opportunities. Through work experience, these students have the opportunity to assist with nearly all aspects of the nursery operation, from lifting and grading seedlings to storage and distribution. In addition, students learn to identify, collect, and plant seeds as well as performed seedling maintenance and care.

The SFN, over the years, has explored economical options to assist with the labor and skill needed to operate the nursery. In 2020, as a pilot, the SFN hired ISU students as seasonal workers to assist with nursery operations. The pilot was successful and cultivated student and University interest. This partnership has provided a stable labor resource for the nursery and created a work experience for the students. ISU will promote and provide administration oversight for the students participating in the program. The DNR will provide instruction for the work being performed and oversight and coordination for the approximately 400 man-hours per week anticipated for the assigned work. Tasks in this contract include:

- Collection, harvest and grading of tree seedling stock: ISU will assist with all aspects of tree seedling identification, harvest, collection and grading of seedling stock for storage, stratification and distribution.
- Propagation, planting, locating of seed sources, collection of tree seeds: ISU will conduct activities associated with collection of seed stock, propagation, location of rare species, development of methods for new tree species production, maintenance and production of seedlings.
- Collection of Data: ISU will collect and document data on seed collection, processing, propagation, distribution and methodologies for submission to Iowa DNR.

The DNR will utilize the information gathered and analyzed in this contract to improve processes for tree seedling production, harvest, collection, grading, and to evaluate efficacies of different methods and standards used in tree seedling propagation.

Selection Process Summary: Contracting with Iowa State University is authorized under 11 Iowa Administrative Code section 118.4.

Contract History:

Original Contract Terms: Amount \$76,488.19; Timeframe: 10/12/2020 – 6/30/2021

Amendment 1 Terms: Amount \$43,502.66; Timeframe: 6/29/2021 – 10/15/2021; Purpose: Continue service

Amendment 2 Terms: Amount \$135,000.00; Timeframe: 10/15/2021-10/15/2022; Purpose: Continue service

Jeff Goerndt, State Forester
Conservation and Recreation Division
NRC Meeting Date: September 7, 2022

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

Decision Item (*indicates proposed consent)

***13. Contract with Pheasants Forever, Inc.**

Commission approval is requested for a contract with Pheasants Forever, Inc., of St. Paul, MN.

Contract Terms

Amount: Not to exceed \$80,000

Dates: 10/1/2022 to 12/1/2023

Funding Source(s): Fish and Wildlife Trust Fund

Contract Purpose: The DNR and Pheasant Forever (PF) have been in partnership since 2009 with the joint goal of improving and increase wildlife habitat by supporting private landowners who are interested in habitat management on their property. By contracting with PF, local service to private landowners will be increased for the consultation of restoring, enhancing, or managing wildlife habitat. This will complement the outreach efforts of the DNR's regional and statewide private lands biologists.

For this contract, PF Farm Bill Biologists assigned by PF will work one-on-one with voluntary landowners interested in discussing and evaluating habitat improvements and potential funding sources the landowner may seek to perform the recommended improvements. Habitat improvements could include CRP, native seeding, prescribed burning, timber stand improvement, and non-CRP wetlands.

In collaboration with USDA, where PF biologists are staffed, PF biologists will identify and reach out to landowners to discuss Habitat Proposals. After discussions, PF will create a Proposal and provide it to a landowner as a customized conservation proposal to restore, enhance, or manage wildlife habitat on their property, and inform them of different options for improving wildlife habitat. During this contract period, PF is to complete one hundred Habitat Proposals.

Habitat Proposals are the stepping stones to Wildlife Plans. After reviewing a Proposal with a landowner, PF will prepare a Wildlife Plan. The Plan is then provided to the landowner as a customized conservation plan for the implementation of wildlife habitat restoration, enhancement, or management on their property. Wildlife Plans inform landowners how to implement the wildlife habitat improvements that they wish to see developed on their property. During this contract period, PF is to complete fifty Wildlife Plans.

The number of Habitat and Wildlife Plans agreed upon are comparable to previous work. During the contract period, the DNR will evaluate the Habitat Proposals and Wildlife Plans for coordination with the Department's current tracking system of implemented strategies. The ultimate goal of this project is to increase or improve wildlife habitat in Iowa, which this service will provide.

Selection Process Summary: Non-governmental contracting with Pheasants Forever, Inc., is authorized under 11 IAC 117.5(5) and 118.7.

Todd Bishop, Wildlife Bureau Chief
Conservation and Recreation Division
NRC Meeting Date: 09/07/2022

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

Decision Item (*indicates proposed consent)

***14. Contract with Carstens Ag and Tiling, LLC**

Commission approval is requested for a contract with Carstens Ag and Tiling, LLC/Kyle Carstens, of Fontanelle, IA.

Contract Terms

Amount: Not to exceed \$30,820

Dates: October 1, 2022 to March 31, 2023

Funding Source(s): Federal 319 Clean Water Act State Land Grant (70%), Lakes Restoration (30%)

Contract Purpose The purpose of this contract is to remove and treat invasive tree and brush species from the grassland areas on the designated area on Meadow Lake Wildlife Management Area (WMA). Eastern red cedar, green ash, red mulberry, elm, bush honeysuckle, Russian olive, and many other invasive tree and brush species have invaded the grasslands around the lake. Work used to address these invasive species will be grubbing, pulling, and piling with a dozer, excavator and skid loader on 37.9 designated acres. The unit staff will follow up with an immediate cover crop seeding followed by and eventual native prairie seeding. Future maintenance of the acres will be under the management plans for the area. This project is part of a larger effort to improve the Meadow Lake WMA watershed. The purpose of removing the invasive brush and tree species is to restore grassland habitat, thus improving infiltration rates and wildlife habitat for grassland wildlife species. This will result in better water quality for the lake and improved fishing and hunting opportunities. This project falls in line with the current management plan in place for the Meadow Lake WMA.

Selection Process Summary: The Department published an Informal Request for Quotes (RFQ) and also shared the RFQ with additional contractors. Criteria reviewed for this work included cost and ability to complete the tasks.

Date bids received: July 22, 2022

of Quotes Received: 9

Recommendation: Carstens Ag and Tiling, LLC, of Fontanelle, IA

| Vendor | Vendor Location (city, state) | Bid | Rank |
|-----------------------------------|-------------------------------|--------------|------|
| Carstens Ag and Tiling, LLC | Fontanelle, IA | \$30,820.00 | 1 |
| Allsup Tiling and Excavating, LLC | Menlo, IA | \$47,057.02 | 2 |
| Redman Services | Greenfield, IA | \$56,400.00 | 3 |
| JNC Construction LLC | Clearfield, IA | \$68,220.00 | 4 |
| APCO Construction | Corning, IA | \$87,814.30 | 5 |
| Needham Dirtwork, LLC | Afton, IA | \$94,138.67 | 6 |
| J Pettiecord | Bondurant, IA | \$94,750.00 | 7 |
| Hansen Earth Moving, INC | Audubon, IA | \$166,760.00 | 8 |
| Gary McNees Excavation | New Market, IA | \$265,000.00 | 9 |

Todd Bishop, Wildlife Bureau Chief
Conservation and Recreation Division
NRC Meeting Date: September 7, 2022

**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.

Basic Intent of Current Rule:

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.

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.

Proposed Rule Change:

This rulemaking proposes to amend both chapters as required by recent legislation. 2022 Iowa Acts, Senate File 2334 (signed by Governor Reynolds on May 24, 2022) authorized the use of a caliber .410 shotgun or a 28-gauge shotgun for hunting turkey. It further required that a caliber .410 shotgun or a .28 shotgun shall only shoot shot not smaller than shot size number 10. These requirements are added to both chapters.

Todd Bishop, Wildlife Bureau Chief
Conservation and Recreation Division
NRC Meeting Date: September 7, 2022

Attached: Chapter 98, Wild Turkey Spring Hunting, and Chapter 99, Wild Turkey Fall Hunting - NOIA

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 Iowa Code sections 455A.5(6)“a”, 481A.39 and 481A.48.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code sections 481A.38, 481A.39 and 481A.48.

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.

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.

This rulemaking proposes to amend both chapters as required by recent legislation. 2022 Iowa Acts, Senate File 2334 (signed by Governor Reynolds on May 24, 2022) authorized the use of a caliber .410 shotgun or a 28-gauge shotgun for hunting turkey. It further required that a caliber .410 shotgun or a .28 shotgun shall only shoot shot not smaller than shot size number 10. These requirements are added to both chapters.

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 of Natural Resources (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 Commission for a waiver of the discretionary provisions, if any.

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 October 25, 2022. Comments should be directed to:

James Coffey
Iowa Department of Natural Resources
Wallace State Office Building
502 East Ninth Street
Des Moines, IA 50319
Email: James.Coffey@dnr.iowa.gov

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held via conference call as follows. Persons who wish to attend the conference call should contact Chris Ensminger, wildlife research supervisor, via email at chris.ensminger@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. Ensminger prior to the hearing to facilitate an orderly hearing.

October 25, 2022 Video/conference call
12 noon to 1 p.m.

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 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 proposed:

Item 1. Amend paragraph 98.2(1)"a" as follows:

98.2(1) Permitted weapons. Wild turkey may be taken in accordance with the type of license issued as follows:

a. Combination shotgun-or-archery license. Wild turkey may be taken by shotgun or muzzleloading shotgun not smaller than ~~.410 caliber 20-gauge~~ and shooting only shot sizes number 4 through ~~108~~ lead or nontoxic shot; and by bow and arrow as defined in paragraph 98.2(1)"b." A person shall not have shotshells containing shot of any size other than number 4 through ~~108~~ lead or nontoxic shot on the person while hunting wild turkey.

Item 2. Amend subrule 98.12(1) as follows:

98.12(1) Permitted weapons. Wild turkey may be taken only with shotguns and muzzleloading shotguns not smaller than ~~.410 caliber 20-gauge~~ and shooting only shot sizes number 4 through ~~108~~ lead or nontoxic shot. No person may have shotshells containing shot of any size other than number 4 through ~~108~~ lead or nontoxic shot on the person while hunting wild turkey. Except for crossbows for persons with certain afflictions of the upper body, as provided in 571—15.22(481A), only longbow, compound, or recurve bows shooting broadhead arrows are permitted. Blunthead arrows with a minimum diameter of 9/16 inch may also be used. Arrows must be at least 18 inches long. No explosive or chemical devices may be attached to the arrow, broadhead, or blunthead.

Item 3. Amend subrule 99.8(1) as follows:

99.8(1) *Permitted weapons.* In accordance with the type of license issued, wild turkey may be taken by shotgun and muzzleloading shotgun not smaller than .410 caliber~~20-gauge~~ and shooting only shot sizes number 4 through 108~~108~~ lead or nontoxic shot; and by longbow, recurve, or compound bow shooting broadhead or blunthead (minimum diameter 9/16 inch) arrows only. No person may carry or have in possession shotshells containing shot of any size other than number 4 through 108~~108~~ lead or nontoxic shot while hunting wild turkey. Arrows with chemical or explosive pods are not permitted.

**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 Current Rule: Chapter 106 governs deer hunting by residents in the state of Iowa. This chapter regulates deer hunting and sets forth 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 rulemaking aligns chapter 106 with recent legislation. More specifically, 2022 Iowa Acts, Senate File 581 (signed by Governor Reynolds on June 17, 2022) established a mandatory rifle-based January antlerless-deer-only season whenever a county has unsold antlerless deer licenses available in its county quota. That season and the rifle requirement have both been added to the chapter. Additionally, the legislation required that the deer depredation program sell its license and shooting permits for \$5. Those fees have been appropriately adjusted.

Todd Bishop, Wildlife Bureau Chief
Conservation and Recreation Division
NRC Meeting Date: September 7, 2022

Attached: Chapter 106, Deer Hunting by Residents - NOIA

NATURAL RESOURCE COMMISSION[571]

Notice of Intended Action

The Natural Resource Commission (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 455A.5(6)“a”, 481A.39, and 481A.48.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code sections 481A.38, 481A.39 and 481A.48.

Purpose and Summary

Chapter 106 governs deer hunting by residents in the state of Iowa. This chapter regulates deer hunting and sets forth 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 rulemaking proposes six amendments necessary to align chapter 106 with recent legislation. More specifically, 2022 Iowa Acts, Senate File 581 (signed by Governor Reynolds on June 17, 2022) established a mandatory rifle-based January antlerless-deer-only season whenever a county has unsold antlerless deer licenses available in its county quota. That season and the rifle requirement have both been added to the chapter. Additionally, the legislation required that the deer depredation program sell its license and shooting permits for \$5. Those fees have been appropriately adjusted.

Fiscal Impact

This rule making has no negative fiscal impact to the State of Iowa. A copy of the fiscal impact statement is available from the Department of Natural Resources (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 Commission for a waiver of the discretionary provisions, if any.

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 October 25, 2022. Comments should be directed to:

Tyler Harms
Iowa Department of Natural Resources
Wallace State Office Building
502 East Ninth Street
Des Moines, IA 50319
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 via conference call as follows. Persons who wish to attend the conference call should contact Chris Ensminger, wildlife research supervisor, via email at chris.ensminger@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. Ensminger prior to the hearing to facilitate an orderly hearing.

October 25, 2022 Video/conference call
12 noon to 1 p.m.

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 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 actions are proposed:

Item 1. Amend subrule 106.1(6) as follows:

a. Population management season. Licenses for the population management January antlerless-deer-only season may be issued for the following counties: Allamakee, Appanoose, Decatur, Monroe, Wayne, and Winneshiek. Population management January antlerless-deer-only licenses shall be issued for a county only when a minimum of 100 antlerless-deer-only licenses, as described in subrule 106.6(6), remain unsold in that county as of the third Monday in December. If 100 or more antlerless-deer-only licenses remain unsold for a given county as of the third Monday in December, those remaining antlerless-deer-only licenses shall be made available for the population management January antlerless-deer-only season in that county until the relevant antlerless-deer-only quota as described in subrule 106.6(6) is met.

b. Excess tag season. Licenses for the excess tag January antlerless-deer-only season may be issued in any county. Excess tag January antlerless-deer-only licenses shall be issued for a county only when a minimum of 1 antlerless-deer-only license, as described in subrule 106.6(6), remains unsold for a given county through January 10. Remaining antlerless-deer-only licenses shall be made available starting on January 11 for the excess tag January antlerless-deer-only season in that county until the relevant antlerless-deer-only quota as described in subrule 106.6(6) is met.

Item 2. Amend subrule 106.2(5) as follows:

106.2(5) Population management and excess tag January antlerless-deer-only seasons. Deer may be taken in accordance with the type, season, and zone designated on the license from January 11 through the second Sunday following that date.

Item 3. Amend subrule 106.4(5) as follows:

106.4(5) Population management and excess tag January antlerless-deer-only seasons. The bag limit is one deer per license. The possession limit is one deer per license.

Item 4. Amend subrule 106.6(4) as follows:

106.6(4) Population management and excess tag January antlerless-deer-only seasons. Only antlerless-deer-only licenses, paid or free, are available in counties pursuant to the conditions described in subrule 106.1(6). A license must be used during the population management or excess tag January antlerless-deer-only season as described in subrule 106.2(5) and in the county or deer population management area selected at the time the license is purchased. Free antlerless-deer-only licenses shall be available only in the portion of the farm unit located in a county where paid antlerless-deer-only licenses are available during the population management or excess tag January antlerless-deer-only seasons.

Item 5. Amend subrule 106.7(5) as follows:

106.7(5) January antlerless-deer-only seasons.

a. Population management January antlerless-deer-only season. Bows, crossbows, shotguns, muzzleloaders, ~~rifles (including centerfire rifles .223 to .350)~~, and handguns, as each is described in this rule, and rifles as described in Iowa Code section 483A.8(9) may be used during the population management January antlerless-deer-only season.

b. Excess tag January antlerless-deer-only season. Rifles as described in Iowa Code section 483A.8(9).

Item 6. Amend paragraph 106.11(4)“a” as follows:

a. Deer depredation licenses. Deer depredation licenses may be sold to resident hunters only for ~~the regular deer license~~ a fee of five dollars for use during one or more legal hunting seasons. Depredation licenses will be available to producers of agricultural and horticultural crops.

Item 7. Amend subparagraph 106.11(4)“b”(1) as follows:

(1) Deer shooting permits will be issued at ~~no cost~~ a fee of five dollars to the applicant.

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

Decision Item

17. Chapter 23 – Wildlife Habitat Promotion with Local Entities Program Grant Recommendations

The Commission is requested to approve the following grant recommendations pursuant to Chapter 23, Wildlife Habitat Promotion with Local Entities Program Grants.

Grant Purpose: In 1979, the Iowa General Assembly passed legislation requiring hunters and trappers to purchase a wildlife habitat stamp. All revenue derived from the sale of habitat stamps are used within the state of Iowa for acquisition of land, leasing of land, obtaining easements from willing sellers for use as wildlife habitats, and for the development and enhancement of wildlife lands and habitat areas. Beginning in 2019, in accordance with Iowa Code 483A.3, a portion of the revenues resulting from the increase in wildlife stamp fees are restricted from use on land acquisition projects. For all projects, Counties must provide at least 25% cost share. By Code, grant applications are reviewed twice a year.

Funding Source(s): Fish and Game Trust Fund

Grant Funding Available: \$547,500 (\$182,500 restricted)

Summary of Selection Process: As directed by criteria under Chapter 23, the grant review and selection committee met on 7/27/22 to evaluate and score applications and provide recommendations for the grant awards.

Selection Committee Members: The review and selection committee consists of five members:

- County Conservation Boards (4)
- DNR Staff (1)

Number of Applications Received: 5 (3 Additions to existing Wildlife Areas and 2 Habitat Development Projects)

Recommendations: The committee recommends offering full funding to the top 2 ranked Wildlife Area additions. The committee further recommends offering full funding to the 2 habitat development projects meeting the minimum score (45.0) for eligibility. The remaining \$61,642 was accepted by Polk County for their Addition to the Chichaqua Bottoms Greenbelt. Any unused funds will carry forward for use in future projects.

| Ranked by Score | Grant Applicant (County) | Project Description | Grant Amount Requested | Recommended Award |
|-----------------|--------------------------|--|------------------------|-------------------|
| 50.6 | Jones | Hale Wildlife Area West Addition – This 158 acre tract lies on the western boundary of the 260 acre Hale Wildlife Area and is located on upland slopes along the northern edge of the Wapsipinicon River valley. The Hale wildlife area includes a complex of prairie, savanna, woodland, and wetland types including more than 200 acres of diverse prairie, 25 acres of woodland, 8 wetlands, and 6 ponds. The West addition adds 90 acres of prairie, 64 acres of woodland, 2 wetlands, and a 3 acre pond. The Hale Wildlife Area is managed as a wildlife management area open to hunting, fishing, hiking, trapping, and other forms of nature appreciation activities with an emphasis on education regarding wildlife and management of wildlife habitat. | \$273,900 | \$273,900 |
| 48.0 | Wright | Elm Lake Wetland Complex Addition - The Wright County Conservation Board will be purchasing 29.06 acres of ground in 2 parcels adjacent to existing public lands in the Elm Lake complex. This land is in a permanent wetland easement due to the closures of two ag drainage wells on the adjacent property. Both parcels will be planted in a wetland mix and will both hold water in years with normal precipitation. These are key properties as they will allow the entire marsh complex created by the ADW closures to be in public ownership. This is part of a larger plan to improve water quality in both Lake Cornelia and Elm Lake and to expand hunting opportunities in the area. | \$29,458 | \$29,458 |
| 48.0 | Cerro Gordo | Mallard Marsh Wetland Enhancement - Mallard Marsh is a 227 acre Wildlife Area. Three permanent and two seasonal wetlands make up approximately 130 acres. The two largest wetland basins are managed using corrugated metal water control structures installed when the wetlands were originally restored in the 1960's. The | \$21,084 | \$21,084 |

| | | | | |
|--------------|-------|---|------------------|------------------|
| | | corrugated metal structures and tubes will be replaced with new Agri-Drain in-line water control structures to provide the ability to better manage water levels to maximize vegetation growth for the benefit of waterfowl and other wildlife species that utilize wetlands. | | |
| 46.0 | Jones | Hale Wildlife Area West Invasive Species Control - This project will involve mechanical removal of 9+ acres of Black Locust trees followed by treatment of re-sprouts and establishment of permanent grassland. | \$14,000 | \$14,000 |
| 45.0 | Polk | Chichaqua Bottoms Greenbelt Bailey Addition - The 48.5 acre Bailey tract lies along the South Skunk River and is surrounded by Polk County Conservation owned land. The entire tract was seeded to native grasses and forbs in fall 2021. Plans are to restore a wetland-prairie complex on this tract to improve habitat for wildlife and provide critical resources for pollinators. The Chichaqua Bottoms Greenbelt (CBG) is an important regional resource for wildlife due to its size and diversity of habitats. CBG has one of the most diverse populations of breeding birds in the state, designated as an Iowa DNR Bird Conservation Area and an Audubon Important Bird Area. The most recent Breeding Bird Atlas listed more than 120 species as confirmed, probable, or possible breeding species in surveys on the area. | \$287,648 | \$61,642 |
| Total | | | \$626,090 | \$400,084 |

Todd Bishop, Wildlife Bureau Chief
Conservation and Recreation Division
NRC Meeting Date: September 7, 2022

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

Decision Item

18. Contract with Iowa State University (CWD Specialists)

Commission approval is requested for sub-recipient agreement with Iowa State University (ISU), of Ames, IA.

Contract Terms

Amount: Not to exceed \$146,210

Dates: September 30, 2022 to September 29, 2023

Funding Source(s): USDA APHIS (Animal and Plant Health Inspection Service) Grant Award

Contract Purpose: This agreement represents a collaborative effort between the Department of Natural Resources' (DNR) Wildlife Bureau and Iowa State University to fund two Chronic Wasting Disease (CWD) Extension Specialists to implement incentive hunts to increase localized hunter harvest of antlerless deer, build local landowner and hunter partnerships to increased controlled access to private lands, partner with local landowners to establish property-specific management plans that slow the advance of CWD, and collect tissue samples from deer harvested during special incentive hunts to monitor CWD spread, all within two CWD-endemic areas in northeastern Iowa.

Chronic Wasting Disease (CWD) continues to spread across North America posing an existential threat to the long-term viability of cervid populations as well as the hunting culture that relies on this resource for recreation and sustenance. Increased localized harvest has been identified as the most successful approach for wildlife management agencies to slow the spread of CWD and is often achieved through selective culling (i.e., sharpshooting) despite the widespread lack of support for this approach among stakeholders. Engaging hunters to increase localized harvest to manage CWD within core areas is broadly accepted among both hunters and landowners, but hunters often lack access to private land and landowners lack guidance to effectively implement density reduction efforts on their property. There is a critical need, therefore, to connect local hunters and landowners to promote access to private land within core areas and establish property-specific deer management plans for landowners to achieve harvest objectives to fight a battle of attrition against CWD. This project will develop a framework for engaging both hunters and private landowners in a cooperative effort to slow the spread of CWD that is cost-effective, sustainable, and widely accepted by constituents.

Tasks in this agreement include:

- Hire two Chronic Wasting Disease (CWD) Extension Specialists to coordinate special incentive hunts in Allamakee and Clayton counties.
- Partner with local landowners to increase hunter access to private land and establish property-specific management plans to slow the advance of CWD in endemic areas.
- Collect both retropharyngeal lymph node (RPLN) samples from deer harvested within incentive zone during special January season.
- Screen RLPNs with enzyme-linked immunosorbent assay (ELISA) to evaluate CWD status and monitor the spread of the disease within endemic areas.

The DNR will provide daily work guidance for the two Specialists in collaboration with the area Wildlife Biologist, as well as provide office space. The DNR will also provide guidance on the development of property-specific management plans and will coordinate submission of RPLN samples for CWD testing. The Department will use the partnerships cultivated and data collected for future decision making on CWD management practices.

Selection Process Summary: This Contract is authorized by 11 Iowa Administrative Code sections 117.5(5) and 118.7.

Todd Bishop, Wildlife Bureau Chief
Conservation and Recreation Division
NRC Meeting Date: September 7, 2022

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

Decision Item

19. Contract with Iowa State University, College of Veterinary Medicine

Commission approval is requested for a contract with Iowa State University, College of Veterinary Medicine, Ames, IA.

Contract Terms:

Amount: Not to exceed \$101,492.22

Dates: October 1, 2022 to September 30, 2023

Funding Source(s): USDA CFDA Program 10.028 Funding

Contract Purpose: The parties propose to enter into this contract to retain the contractor to evaluate the performance of pooled testing for Chronic Wasting Disease (CWD) under real-world conditions in order to support a full transition to pooled testing by the Iowa Department of Natural Resources moving forward. The Iowa DNR intends to utilize the information gathered and analyzed in this contract to better allocate resources to CWD management by reducing the cost of testing multi-fold.

This project addresses a critical information need necessary for state agencies, and specifically the Iowa DNR, to implement pooled testing for Chronic Wasting Disease (CWD) moving forward. Pooled testing in this scenario means using a diagnostic assay to screen multiple deer using one test for the presence of the misfolded prion protein. Because most of our positive detections in Iowa involve deer testing at the maximum threshold on the current screening test (enzyme-linked immunosorbent assay, ELISA), we believed we could test several deer before diluting this signal. Work from our 2020 Cooperative Agreement identified this threshold at 10, meaning we could still reliably detect a positive deer from a pool of 9 other deer testing “Not Detected.” When we asked this same question using an amplification assay (real-time quaking-induced conversion, RT-QuIC), which is much more sensitive than ELISA, we found a threshold of 50. In other words, we could still reliably detect a positive deer from a pool of 49 other deer testing “Not Detected.” However, these thresholds were identified under idealized conditions, where we knew the status of all individuals going into the pools. The next step is to evaluate how these thresholds perform under real-world conditions.

Tasks in this contract include:

- Compare the performance of testing pooled samples at a 1:4 and 1:9 dilution of the positive by ELISA to traditional testing with ELISA via use of paired RPLN
- Compare the performance of testing pooled samples at a 1:24 or 1:49 dilution of the positive by RT-QuIC to traditional testing with ELISA via use of paired RPLN
- Evaluate the technician time and amount of consumables required to prepare these different dilutions for ELISA and RT-QuIC
- Determine which pooling thresholds maximize sensitivity and functionality for screening real-world samples by ELISA and RT-QuIC

The DNR will:

- Provide lymphoid tissues for Iowa deer to test in pools
- Determine of composition of each pool, based on regional proximity and CWD status

The results of this project will help us identify which dilution and which diagnostic is most reliable and economical so that the Iowa DNR can make an informed transition to pooled testing. This will then allow us to reallocate costs of monitoring for this disease to managing for this disease within an expanding footprint.

Contractor Selection Process: This contract is authorized by 11 Iowa Administrative Code section 118.4(8A).

Todd Bishop, Wildlife Bureau Chief
Conservation and Recreation Division
NRC Meeting Date: September 7, 2022

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

Information Item

20. 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 |
|-----------------|--------------------|-------------------------|---------------|--|----------------------|---|
| 7/28/22 | 21-01-97-01 | Brown's Lake WMA | Woodbury | Repair surface drainage and add granular surfacing to a section of roadway. | \$19,000 | \$14,980.00 \$16,150.00 \$24,747.00 |
| 7/28/22 | 22-03-28-02 | Backbone State Park | Delaware | Construct a building foundation using insulated block system and installing an in-floor heated floor for a future building at the park. | \$32,000 | \$36,071.69 \$40,369.40 |
| 8/11/22 | 22-01-60-01 | Big Sioux River Complex | Lyon | Repair surface drainage and add granular surfacing to a section of roadway. | \$18,000 | \$19,549 |
| 8/18/22 | 23-01-30-02 | Trickle Slough WMA | Dickinson | Restore a wetland area. Work includes dike construction, excavation, tile investigation, tile breaks, tile installation, and a water control structure with associated piping. | \$50,000 | \$45,971.80 \$48,834.00 \$49,965.96 \$49,980.54 |
| 8/18/22 | 18-01-74-02 | Virgin Lake | Palo Alto | Add rock fish barrier protection to a drainage and construct a granular parking lot for the boat ramp on the east side of Virgin Lake. | \$59,000 | \$39,340.00 \$58,310.00 |

Travis Baker, Land and Waters Bureau Chief
Conservation and Recreation Division
NRC Meeting Date: 09/07/2022

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

Decision Item

21. Construction Projects

21.1 Rathbun WMA, Road Maintenance – Appanoose/Lucas Counties

The Department requests Commission approval of the following construction project:

Project Summary: This project addresses road issues within the 15,888 acre Rathbun Wildlife Management Area. The WMA consists of ½ upland, ¼ lake and ¼ timber, which provide habitat for deer, pheasant, quail, dove and waterfowl. The WMA surrounds much of Rathbun lake and provides several access points for hunters, paddlers, bird watchers, mushroom hunters and nature enthusiasts. The access roads are used on a near daily basis and also provides access for habitat management leases.

Over one mile of the existing granular roadway will have the crown re-established and new rock will be spread. Two 18-inch culverts will be replaced and erosion stone will be placed at the inlets/outlets. Revetment will also be placed at a large culvert that was recently replaced by the County. Over one mile of ditches will be cleaned along with minor bank shaping. All disturbed areas will be seeded and fertilized

Engineering Project #: 22-05-04-05

Cost Estimate: \$130,000

Operating Bureau: Wildlife

Funding Source: IA DOT Parks and Institutional Road Fund

Bid Letting Date: 8/18/2022

Construction Completion Date: 12/31/2022

Number of Bids Received: 3



Bidders

| | | |
|---------------------------------|-------------|--------------|
| IA Builders LLC | Albia IA | \$85,826.30 |
| Nagel Construction | Allerton IA | \$98,061.95 |
| Miller Trucking & Excavating Co | Silvis IL | \$155,714.50 |

Upon Engineering's review of bids, DNR recommends awarding the contract to IA Builders LLC .

21.2 Odessa WMA, Access Road Maintenance – Louisa County

The Department requests Commission approval of the following construction project:

Project Summary: The 4,139 acre Odessa Wildlife Management Area (WMA) is 3/4 timber and 1/4 upland. The 1.8 mile long rock road within the area provides access for hunters, paddlers, bird watchers, mushroom hunters and nature enthusiasts. The area also provides habitat for deer, turkey, pheasant, waterfowl, rabbit, dove, and mushrooms.

The Odessa WMA is one of six wildlife areas within Louisa County, and the only one that provides limited access to the Mississippi River. The access road is used on a daily basis and also provides access for habitat management leases.

The existing granular roadway will have the crown re-established and new rock will be spread on approximately 1.8 miles of road. Five culverts will be replaced, along with erosion stone/revetment at the inlets and outlets, and nearly one-half mile of ditches will be cleaned along with minor bank shaping. All disturbed areas will be seeded and fertilized.



Engineering Project #: 21-06-58-03

Cost Estimate: \$220,000

Operating Bureau: Wildlife

Funding Source: IA DOT Parks and Institutional Road Fund

Bid Letting Date: 8/18/2022

Construction Completion Date: 10/31/2023

Number of Bids Received: 7

Bidders

| | | |
|--------------------------------------|---------------|--------------|
| IA Builders LLC | Albia IA | \$168,625.11 |
| Delong Construction Inc | Washington IA | \$171,149.00 |
| Triple B Construction | Wilton IA | \$177,235.50 |
| Cole Construction Co, Inc | Keosauqua IA | \$197,566.26 |
| H & H Construction & Development LLC | Miles IA | \$214,709.04 |
| Ethics Contracting LLC | Bettendorf IA | \$233,686.30 |
| Heuer Construction Inc | Muscatine IA | \$253,591.75 |

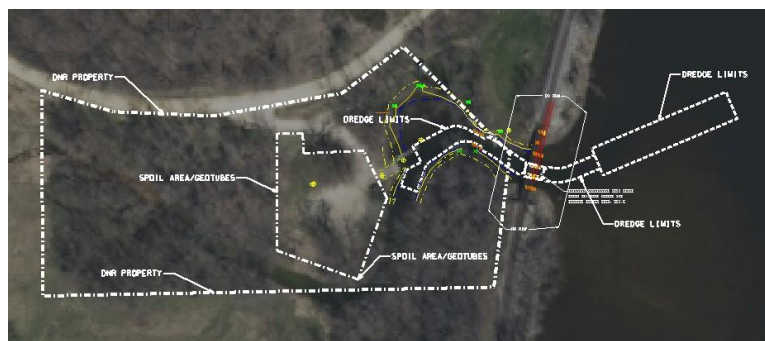
Upon Engineering's review of bids, DNR recommends awarding the contract to IA Builders LLC .

21.3 Heytman's Landing Access, Channel Maintenance Dredging – Allamakee County

The Department requests Commission approval of the following construction project:

Project Summary: Heytman's Landing Access, located about 9 miles southeast of Lansing, Iowa, currently has an existing kiosk and concrete boat ramp with a boat dock. The parking area is surfaced with crushed rock. The access is popular with kayakers, waterfowlers, and fisherman. Species of fish caught in the area include bluegill, channel catfish, crappie, freshwater drum, largemouth bass, northern pike, sauger, smallmouth bass, walleye, flathead catfish, rock bass, white bass, and yellow perch.

Due to the accumulation of sediment in the access channel, boats are running aground and the channel is very narrow. This project will dredge the channel to maintain boater access to the Mississippi River. The contractor will dredge the access channel from the boat ramp to east of the railroad bridge into the Mississippi River. Approximately 1,500 cubic yards of material will be removed and disposed of by the contractor.



Engineering Project #: 21-03-03-02

Cost Estimate: \$110,000.00

Operating Bureau: Fisheries

Funding Source: Marine Fuel Tax

Bid Letting Date: 08/18/2022

Construction Completion Date: 08/31/2023

Number of Bids Received: 2

Bidders

| | | |
|--------------------------|---------------|--------------|
| JF Brennan Company, Inc. | La Crosse, WI | \$179,325.00 |
| Veit & Company, Inc. | Rogers, MN | \$299,900.00 |

Upon Engineering's review of bids, DNR recommends awarding the contract to JF Brennan Company, Inc.

Travis Baker, Land & Waters Bureau Chief

Conservation and Recreation Division

NRC Meeting Date: 09/07/2022

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

Decision Item (**indicates proposed consent*)

***22. Contract with the Poweshiek County Conservation Board (Diamond Lake Park)**

Commission approval is requested for a contract with the Poweshiek County Conservation Board (PCCB), of Montezuma, Iowa.

Contract Terms:

Amount: Not to exceed \$58,275.00

Dates: September 13, 2022, to December 31, 2023

Funding Source(s): Lake Restoration Program

Background: Constructed in the 1950s, Diamond Lake is a 98.7-acre lake with a 2,672 acre watershed which is comprised of a mix of public and privately owned lands. The lake is located in Diamond Lake County Park in Poweshiek County and is managed by Poweshiek County Conservation. With a 27: 1 watershed to lake area ratio, the lake is an excellent candidate for restoration. The watershed has a mix of forested land, crop land, and grassland. Water quality is considered average for the State of Iowa, but the lake suffers periodically from algae blooms that lead to poor water clarity. The maximum depth of Diamond Lake is about 20' with the mean depth being 7.2' although the depths in the norther portion of the lake are fairly shallow and there has been some sediment deposition in the arms of the lake since it was constructed.

Both landowners within the watershed and the park staff have worked to reduce sediment and nutrient inputs to the lake by installing a variety of best management practices on the landscape, but additional work is needed to better manage inputs to the lake. This project represents the first step in a comprehensive restoration project that is proposed for the lake and park. Additionally, a watershed coordinator is working with landowner and operators within the watershed to install additional BMPs on privately owned land. Diamond Lake is a significant public resource and it supports more than 33,000 visitor trips each year for recreational activities including boating and fishing. In addition, Diamond Lake serves the City of Montezuma as its drinking water source.

DNR worked with the CCB in 2015 to repair and modify the spillway at the lake outlet. The spillway was in need of repair, and upgrading the lakes infrastructure allowed project partners to modify the outlet structure to eliminate migration of undesirable fish species into the lake from downstream Moon Creek. Modification of the outlet was an important step in the long-term water quality improvement plan for Diamond Lake. The spillway modification was completed in 2015 for a total cost of \$160k, with the PCCB contributing \$32k to the project.

Contract Purpose: The purpose of this agreement is to work with PCCB to retain a consultant to provide engineering services for the restoration of Diamond Lake Park. Engineering services provided for this project include the evaluation of existing watershed best management practices within the park to determine their effectiveness and remaining lifespan and evaluation of the park to locate additional cost-effective BMPs that will reduce sediment and phosphorus inputs to the lake. Additionally, the consultant hired by PCCB will provide a conceptual design and cost estimate for recommended watershed practices so that project partners can plan and budget for the construction of proposed practices.

Budget:

| | |
|---|---------------------|
| DNR Contribution | \$ 58,275.00 |
| <u>Poweshiek County Conservation Board Contribution</u> | <u>\$ 19,425.00</u> |
| Total budget | \$ 77,700.00 |

Anticipated Future Work: Future work will include engineering design, permitting, and construction of watershed best management practices selected through this evaluation process. Additionally, long term, project partners to complete restoration work within the lake, however; in-lake practices are not anticipated within the next 3-5 years. Total anticipated costs for construction of watershed practices within the park is around \$1 million, and will likely include some timber stand improvement, construction of new sediment ponds, and rehabilitation of existing ponds within the park.

Selection Process Summary: Intergovernmental contracting with the TCCB is authorized under 11 IAC 118.4.

Travis Baker, Land & Waters Bureau Chief
Conservation and Recreation Division
NRC Meeting Date: September 7, 2022

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

Decision Item

23. Contract Amendment-1 with the Office of the State Archeologist at the University of Iowa

Commission approval is requested for a contract amendment with University of Iowa Office of the State Archaeologist (OSA).

Amendment-1 Terms:

Amendment Amount: Not to exceed \$200,000

Amendment Dates: October 1, 2022 – June 30, 2023

Funding Source(s): Funding sources will be project related; potential sources include, but are not limited to: Lake Restoration, USFWS Wildlife and Sport Fish Restoration Program, USFWS North American Wetland Conservation Act, State Duck Stamp, REAP Land Management and Open Spaces, Marine Fuel Tax, Watershed Improvement Section (Section 319 funds of the Clean Water Act), Drinking Water State Revolving Fund (SRF), and the Clean Water SRF.

Amendment Purpose: DNR is responsible for the management and development of lands and facilities under the jurisdiction of the Natural Resources Commission and the Environmental Protection Commission. This includes state parks, recreation areas and preserves; state forests; wildlife management areas; office and recreation facilities, and hatcheries; clean water best management practices (BMPs) and demonstration practices on both public and private lands. The DNR also provides environmental and cultural review services for cities and public water supplies that finance projects through the State Revolving Fund (SRF) programs. As part of these obligations, DNR must, at times, conduct investigations into the historical and archeological resources that may be impacted by DNR's construction and development activities in these areas. This amendment will provide additional funding to the existing contract.

Original Contract Purpose: Archeological and architectural investigations are required for many construction and improvement projects completed on public land, including those associated with SRF and Section 319 sponsored projects for water quality improvement, lake restoration projects, wildlife and fisheries capital projects, and parks improvement/capital projects. For the majority of projects associated with this Contract, a phase 1 survey will be completed by OSA for each work order. A phase 1 is an archeological survey that determines the presence or absence of archeological resources within a project area. Additional surveys may need to be completed if cultural resources are located within the project area.

The purpose of this 2-year contract is to allow DNR staff across both divisions (CRD and ESD) ready access to contract with OSA to complete archeological and architectural investigations by issuing work orders for individual projects under this master agreement. Issuing work orders for archeological and architectural work will improve efficiency by reducing staff time drafting and preparing contracts for each individual project. The previous 2-year contract with OSA was very successful in serving the needs of the DNR project officers, allowing for timely, efficient, and economical investigations of cultural and historical resource concerns at all project construction sites.

Original Selection Process: 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).

Contract History:

Original Contract Terms: Amount: Not to exceed \$650,000.00; Timeframe: June 1, 2021, to June 30, 2023

Travis Baker, Land and Waters Bureau Chief
Conservation and Recreation Division
NRC Meeting Date: 9/7/2022

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

Decision Item (*indicates proposed consent item)

***24. Contract with Stantec Consulting Services, Inc.**

Commission approval is requested for a contract with Stantec Consulting Services Inc., Des Moines, IA.

Contract Terms

Amount: not to exceed \$58,621

Dates: September 15, 2022 to January 31, 2024

Funding Source(s): Rebuild Iowa's Infrastructure Fund

Contract Purpose: The River Programs section of the DNR requires professional planning services to develop a water trail plan for the for 57.2 miles of the Upper North Raccoon River starting slightly upstream of the Sac County line to Rainbow Bridge Access in Calhoun County. This stream was recently selected for water trail planning by a scoring committee consisting of three DNR employees and two citizen river advocates. Sac County Conservation Board applied for these services and agreed to be the water trail sponsor.

A good water trail plan is one that is responsive to local desires and concerns. Through a series of local stakeholder meetings, public input sessions, and research, the water trail plan will establish a priority for infrastructure projects (i.e. developing new water accesses, improving existing accesses, adding access amenities, improved parking, and hazard mitigation). The plan will also identify any interpretive or educational programming needs, as well as offer potential solutions to any existing problems that are identified. Tasks in this contract include:

- Host multiple stakeholder and public input meetings. Analyze and integrate information collected into the plan.
- Establish a steering committee to develop vision and goals for the trail and guide development of the plan.
- Develop an online social media presence.
- Research and report existing conditions of the water trail (i.e. river traffic/use; accesses; natural geological, historical, and archeological resources).
- Draft a master water trail plan with GIS data and include project recommendations.

Selection Process Summary: The Department solicited proposals from targeted small businesses and also published a request of proposals on the Department of Administrative Services website. Criteria reviewed included cost; satisfactory performance on previous contracts similar in scope; contractor's professional experience, performance record, and letters of references; compliance and thoroughness of their response to RFP Technical Proposal; and the capacity and work plan of the service provider to complete responsibilities described in the statement of work.

Proposal Due Date: August 12, 2022

Proposals Received: 3

Recommendation: Stantec Consulting Services, Inc.

| Vendor | Vendor Location (city, state) | Score (150 pts total) | Rank | Cost |
|----------------------------------|-------------------------------|--------------------------|------|----------|
| Stantec Consulting Services Inc. | Des Moines, Iowa | 148 | 1 | \$58,621 |
| LT Leon Associates, Inc. | Des Moines, Iowa | 130 | 2 | \$59,905 |
| ISG | Des Moines, Iowa | 125 | 3 | \$59,800 |

Travis Baker, Land and Waters Bureau Chief
Conservation and Recreation Division
NRC Meeting Date: September 7, 2022