

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

NRC Business Meeting – Thursday, December 8, 2022

Meeting Convenes at 9:30am

Meeting Location: Iowa DNR, 502 E 9th St, 2nd Floor Conference Rm, Des Moines, IA

To attend virtually, 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 10:00 am

1.	Approval of Agenda Consent Agenda (<i>*within agenda indicates proposed consent agenda item</i>) *6. Timber Sale Contract Mahlon Yoder dba Yoder Sawmill (Pella WMA) *12. Contract Amendment 2 with Marine Safety Experts, Inc. *13. Contract with Greg Mohr (Center Lake) *17. Public Land Management Project: Contract Amendment- 3 with Hertz Farm Management, Inc	Decision	Commission
2.	Approve Minutes of 11/10/22 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.	Timber Sale Contract Mahlon Yoder dba Yoder Sawmill (Pella WMA)	Decision	Jeff Goerndt
7.	Chapter 12, "Conservation Education," Chapter 15, "General License Regulations," and Chapter 94, "Nonresident deer hunting" – Notice of Intended Action	Decision	Tamara McIntosh
8.	Chapter 98, "Wild Turkey Spring Hunting" and Chapter 99, "Wild Turkey Fall Hunting" – Final Rule	Decision	Todd Bishop
9.	Chapter 106, "Deer Hunting by Residents" – Final Rule	Decision	Todd Bishop
10.	Chapter 108, "Mink, Muskrat, Raccoon, Badger, Opossum, Weasel, Striped Skunk, Fox (Red and Gray), Beaver, Coyote, River Otter, Bobcat, Gray (Timber) Wolf and Spotted Skunk Seasons"- Notice of Intended Action	Decision	Todd Bishop
11.	Chapter 23, "Wildlife Habitat Promotion with Local Entities Program", Chapter 27, "Lands and Waters Conservation Fund Program," Chapter 29, "Local Recreation Infrastructure Grants Program," Chapter 30, "Waters Cost-share and Grant Programs," Chapter 33, "Resource Enhancement and Protection Program: County, City and Private Open Spaces Grant Programs," and Chapter 35, "Fish Habitat Promotion for County Conservation Boards" – Final Rule	Decision	Michelle Wilson
*12.	Contract Amendment 2 with Marine Safety Experts, Inc.	Decision	Tammie Krausman
*13.	Contract with Greg Mohr (Center Lake)	Decision	Travis Baker
14.	Contract with Greg Mohr (Blackhawk Lake)	Decision	Travis Baker

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.

15.	On-Stream Impoundment Restoration Fund Grant FY 2023	Decision	Travis Baker
16.	Contract with the Dickinson County Water Quality Commission	Decision	Travis Baker
*17.	Public Land Management Project: Contract Amendment- 3 with Hertz Farm Management, Inc	Decision	Travis Baker
18.	Construction – Small Projects	Information	Travis Baker
19.	Construction – Large Projects		
19.1	Backbone State Park, Cabin & Museum Road Construction – Delaware County	Decision	Travis Baker
19.2	Lake Sugema WMA, Water Control Structure Replacement – Van Buren County	Decision	Travis Baker
19.3	Saylorville WMA, Road Maintenance – Dallas County	Decision	Travis Baker
20.	General Discussion <ul style="list-style-type: none"> • NRC Discussion of Administrative Law Judge Cases • NRC Annual Report Discussion 		
Upcoming NRC Meeting Dates <ul style="list-style-type: none"> • Wed, 01/18/23, 10:00am, Business Meeting (Polk County) • Thu, 02/09/23, 9:30am, Business Meeting (Polk County) • Thu, 03/09/23, 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.

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

Decision Item

5. Donations

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

Donation to:	Amount	Description	Donation Provided by:
Parks and Forestry	\$500.00	Funds to support Parks and Forestry.	Tom Cavanagh
General Fund	\$100.00	Donation to support the General Fund in memory of Darlene Freed.	Paula Underwood
Lake Macbride State Park	\$25.00	Funds to support improvements at Lake Macbride State Park.	Dogan Dincer
Lake Macbride State Park	\$500.00	Funds to support improvements at the modern campground.	Jeanine Beranek
McIntosh Woods State Park	\$1,200.00	Plastic recycled bench in honor of Jon Lohrbach	Coleen Lohrbach
McIntosh Woods State Park	\$1,200.00	Plastic recycled bench in honor of Bob and Jeannine Paschal	Chris Gilbert Family
Fish and Wildlife Trust Fund	\$100.00	Funds to support the Fish and Wildlife Trust Fund in memory of Theo Clark.	Drew Walter
Parks and Forestry	\$10.00	Funds to support Parks and Forestry.	Desiree Anton
Law Enforcement Bureau	\$25,195.00	Turn-in-Poacher (TIP) display trailer for use at statewide programs and events.	TIP Board, TIP of Iowa, Inc.

Pete Hildreth, Division Administrator
Conservation and Recreation Division
NRC Meeting Date: 12/08/22

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

Decision Item (* indicates proposed consent)

***6. Timber Sale Contract with Mahlon Yoder dba Yoder Sawmill (Pella WMA)**

Commission approval is requested for a timber sale contract with Mahlon Yoder dba Yoder Sawmill of Seymour, IA, for Pella Wildlife Management Area

Contract Terms

Income: \$102,743.00

Dates: 12/08/22 to 08/30/24

Fund Deposited to: Fish and Wildlife Trust Fund

Contract Purpose: This contract will facilitate a hardwood timber harvest of an estimated 537,920 board feet and 1230 cords of fuelwood at Pella Wildlife Management Area in Marion County. The harvest areas will be cleared for strip mine reclamation following this salvage harvest.

The project will conserve habitat and wildlife species native to the area. Long term plans after the IDALS reclamation include 50-60 acres of native oak-hickory type reforestation and 100-115 acres of native short grass prairie restoration. In addition, approximately 20 acres of shallow wetlands will be restored on the reclamation area. Controlling invasive species after the reclamation will be the top priority before reforestation or native grass seeding.

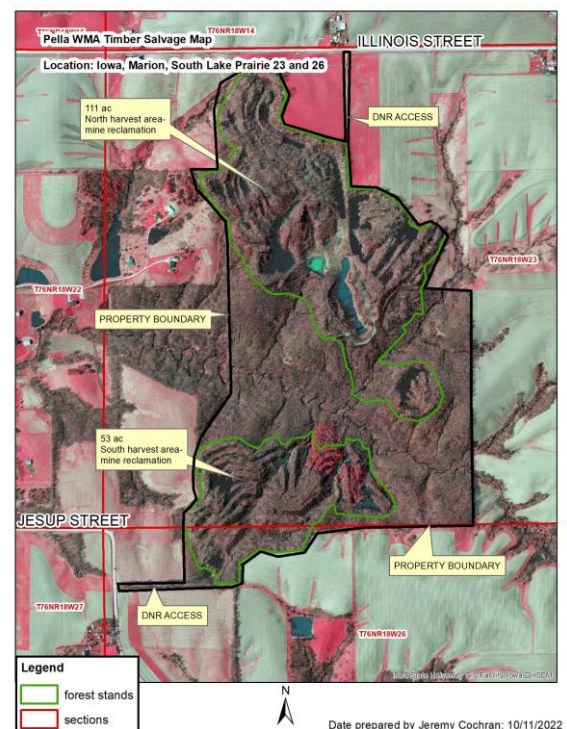
Selection Process Summary: An informal bid process was completed. To be qualified, a timber buyer must have on file with the State of Iowa a bond meeting the requirements of Section 456A.36 of the Code of Iowa and Chapter 571-72 of the Iowa Administrative Code. The area forester and supervisor reviewed 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: 1

Recommendation: Mahlon Yoder dba Yoder Sawmill

Jeff Goerndt, State Forester
Conservation and Recreation Division
NRC Meeting Date: December 8, 2022



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

Decision Item

7. Chapter 12, "Conservation Education," Chapter 15, "General License Regulations," and Chapter 94, "Nonresident deer hunting" – Notice of Intended Action

The Commission is requested to approve the Notice of Intended Action – Chapter 12, "Conservation Education," Chapter 15, "General License Regulations," and Chapter 94, "Nonresident deer hunting."

Basic Intent of Current Rule: Chapters 12, 15, and 94 govern (among other issues) certified recreational education instructors and some deer hunting licenses.

Proposed Rule Change: 2022 Iowa Acts, House File 803 allows physician assistants to perform various duties that are within their undisputed scope of practice. The bill requires certain administrative rules that are limited to physicians be amended to include physician assistants. Chapters 12, 15, and 94 each have a few provisions that reference physicians. The proposed rulemaking amends these rules as required by the legislation.

This proposed rulemaking also adds doctors of osteopathy and nurse practitioners to the list of approved care providers mentioned in each rule. Authorizing a suite of medical professionals to complete this task enables a volunteer instructor and/or hunter to utilize his or her preferred care provider.

Tamara McIntosh – General Counsel
Legal Services
NRC Meeting Date: December 8, 2022

Attached: Chapter 12, "Conservation Education," Chapter 15, "General License Regulations," and Chapter 94, "Nonresident deer hunting" - NOIA

**NATURAL RESOURCE COMMISSION [571]
Notice of Intended Action**

The Natural Resource Commission (Commission) hereby proposes to amend Chapter 12, "Conservation Education," Chapter 15, "General License Regulations," and Chapter 94, "Nonresident deer hunting," Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in 2022 Iowa Acts, House File 803, codifying Iowa Code section 147.77; and Iowa Code sections 321G.2, 321I.2, 462A.3(2), and 483A.27(8).

State or Federal Law Implemented

This rule making implements, in whole or in part, 2022 Iowa Acts, House File 803, codifying Iowa Code section 147.77; and Iowa Code sections 321G.23, 321I.25, 462A.12(6), 462A.12A, 483A.8(8), 483A.24(12) and 483A.27(4).

Purpose and Summary

2022 Iowa Acts, House File 803 allows physician assistants to perform various duties that are within their undisputed scope of practice. The bill specifically directs agencies to add physician assistants to rules that are currently limited to physicians. Chapters 12, 15, and 94 each have a few provisions that reference physicians. The proposed rulemaking amends these rules as required by the legislation.

The Commission is also amending the rules to include other medical professionals: specifically, doctors of osteopathy and nurse practitioners. Authorizing a suite of medical professionals to complete this task enables a volunteer instructor and/or hunter to utilize his or her preferred care provider.

Fiscal Impact

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

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 571—Chapter 11.

Public Comment

Any interested person may submit comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Department no later than 4:30 p.m. on January 31, 2023. Comments should be directed to:

Tamara McIntosh
Department of Natural Resources
502 E 9th Street
Des Moines, IA 50319
Tamara.McIntosh@dnr.iowa.gov

Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Review by Administrative Rules Review Committee

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

The following rule-making action proposed:

ITEM 1. Amend subrule 12.25(8) as follows:

8. Participates in a course while under the influence of alcohol or any illegal drug or while ingesting prescription medication in a manner contrary to the dosing directions given by the prescribing physician. The attending physician shall be a licensed physician, osteopathic physician, physician assistant, or advanced registered nurse practitioner.

ITEM 2. Amend subrules 15.22(2) and 15.22(4) as follows:

15.22(2) Application for authorization card. An individual requesting use of a crossbow for hunting deer or turkey must submit an application for an authorization card on forms provided by the department. The application must include a statement signed by the applicant’s physician declaring that the individual is not physically capable of shooting a bow and arrow. The attending physician shall be a licensed physician, osteopathic physician, physician assistant, or advanced registered nurse practitioner. A first-time applicant must submit the authorization card application no later than ten days before the last day of the license application period for the season the person intends to hunt.

15.22(4) Validity and forfeiture of authorization card. A card authorizing the use of a crossbow for hunting deer and turkey will be valid for as long as the person is incapable of shooting a bow and arrow. If a conservation officer has probable cause to believe the person’s handicapped status has improved, making it possible for the person to shoot a bow and arrow, the department may, upon the officer’s request, require the person to obtain in writing a current physician’s statement. The attending physician shall be a licensed physician, osteopathic physician, physician assistant, or advanced registered nurse practitioner.

If the person is unable to obtain a current physician’s statement confirming that the person is incapable of shooting a bow and arrow, the department may initiate action to revoke the authorization card pursuant to 571—Chapter 7.

ITEM 3. Amend subrule 94.10(1) as follows:

94.10(1) Licenses. A nonresident meeting the requirements of Iowa Code section 321L.1(8) may apply for or purchase a nonresident deer hunting license to participate in a special deer hunting season for severely disabled persons. Nonresidents applying for this license must have on file with the department of natural resources either a copy of a disabilities parking permit issued by a state department of transportation or an Iowa DNR form signed by a physician that verifies their disability. The attending physician shall be a licensed physician, osteopathic physician, physician assistant, or advanced registered nurse practitioner.

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

Decision Item

8. Chapter 98, “Wild Turkey Spring Hunting” and Chapter 99, “Wild Turkey Fall Hunting”– Final Rule

The Commission is requested to adopt a final rule to amend Chapter 98, “Wild Turkey Spring Hunting” and Chapter 99, “Wild Turkey Fall Hunting.”

Chapter 98, Wild Turkey Spring Hunting:

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

NOIA Process: The Notice of Intended Action (NOIA) was approved by the NRC on September 7, 2022. This rulemaking adopts changes 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. The NOIA was published in the Iowa Administrative Bulletin on October 5, 2022, as ARC #6578C. A public hearing was held on October 25. No comments were received during the public comment period.

Changes from NOIA: None

Effective Date of Final Rule: February 15, 2023

Chapter 99, Wild Turkey Fall Hunting:

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

NOIA Process: The Notice of Intended Action (NOIA) was approved by the NRC on September 7, 2022. This rulemaking adopts changes 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. The NOIA was published in the Iowa Administrative Bulletin on October 5, 2022, as ARC #6578C. A public hearing was held on October 25, 2022. No comments were received during the public comment period.

Changes from NOIA: None

Effective Date of Final Rule: February 15, 2023

Todd Bishop, Wildlife Bureau Chief
Conservation and Recreation Division
NRC Meeting Date: December 8, 2022

Attached: Chapter 98, “Wild Turkey Spring Hunting” and Chapter 99, “Wild Turkey Fall Hunting” - Final Rule

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

The Natural Resource Commission (Commission) hereby adopts 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 adopted 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.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on October 5, 2022, as **ARC 6578C**.

A public hearing was held on October 25, 2022 at 12 noon via video/conference call. No one attended the hearing.

No public comments were received.

No changes were made from the published notice.

Adoption of Rule Making

This rule making was adopted by the Commission on December 8, 2022.

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.

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 February 15, 2023.

The following rule-making action is adopted:

6578C

NATURAL RESOURCE COMMISSION[571]

Notice of Intended Action

**Proposing rule making related to permitted weapons for wild turkey hunting
and providing an opportunity for public comment**

The Natural Resource Commission (Commission) hereby proposes to amend Chapter 98, “Wild Turkey Spring Hunting,” and Chapter 99, “Wild Turkey Fall Hunting,” 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 and section 483A.7 as amended by 2022 Iowa Acts, Senate File 2334.

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 rule making proposes to amend both chapters as required by recent legislation. 2022 Iowa Acts, Senate File 2334 (signed by Governor Reynolds on May 24, 2022), authorizes the use of a caliber .410 shotgun or a 28-gauge shotgun for hunting turkey. It further requires that a caliber .410 shotgun or a 28-gauge shotgun shall only shoot shot not smaller than shot size number 10. These requirements are proposed to be 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 written 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
Natural Resource Commission
Chariton Research Station
24570 US Hwy 34
Chariton, Iowa 50049
Email: james.coffey@dnr.iowa.gov

Public Hearing

A public hearing at which persons may present their views orally 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

12 noon to 1 p.m.

Video/conference call

Persons who wish to make oral comments at the public hearing will 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 paragraph **98.2(1)“a”** as follows:

a. Combination shotgun-or-archery license. Wild turkey may be taken by shotgun or muzzleloading shotgun not smaller than ~~20-gauge~~ caliber .410 and shooting only shot sizes number 4 through ~~8~~ 10 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 ~~8~~ 10 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 ~~20-gauge~~ caliber .410 and shooting only shot sizes number 4 through ~~8~~ 10 lead or nontoxic shot. No person may have shotshells containing shot of any size other than number 4 through ~~8~~ 10 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 ~~20-gauge~~ caliber .410 and shooting only shot sizes number 4 through ~~8~~ 10 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 ~~8~~ 10 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

9. Chapter 106, “Deer Hunting by Residents” – Final Rule

The Commission is requested to adopt a Final rule to amend 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.

NOIA Process: The Notice of Intended Action was approved by the NRC on September 7, 2022. This rule making proposes seven 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), establishes 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 requires that the deer depredation program sell its license and shooting permits for \$5. Those fees have been appropriately adjusted.

The Notice of Intended Action was published in the Iowa Administrative Bulletin on October 5, as 6579C. A public hearing was held on October 25, 2022. No public comments were received.

Changes from NOIA: None

Effective Date of Final Rule: February 15, 2023

Todd Bishop, Chief, Wildlife Bureau
Conservation and Recreation Division
NRC Meeting Date: December 8, 2022

Attachment: Chapter 106, “Deer Hunting by Residents” - Final Rule

NATURAL RESOURCE COMMISSION[571]

Adopted and Filed

The Natural Resource Commission (Commission) hereby adopts Chapter 106, “Deer Hunting by Residents, Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted 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.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on October 5, 2022, as **ARC 6579C**.

A public hearing was held on October 25, 2022 at 12 noon via video/conference call. No one attended the hearing.

No public comments were received

No changes were made from the published notice.

Adoption of Rule Making

This rule making was adopted by the Commission on December 8, 2022.

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.

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 February 15, 2023.

The following rule-making action is adopted:

ARC 6579C

NATURAL RESOURCE COMMISSION[571]

Notice of Intended Action

**Proposing rule making related to deer hunting
and providing an opportunity for public comment**

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 and section 483A.8 as amended by 2022 Iowa Acts, Senate File 581.

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 rule making proposes seven 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), establishes 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 requires 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 written 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, Iowa 50319
Email: tyler.harms@dnr.iowa.gov

Public Hearing

A public hearing at which persons may present their views orally 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

12 noon to 1 p.m.

Video/conference call

Persons who wish to make oral comments at the public hearing will 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:

106.1(6) January antlerless-deer-only licenses.

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 one 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 season 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 ~~season~~ 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 ~~season~~ 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 season.

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

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

a. Population management January antlerless-deer-only season. Bows, crossbows, shotguns, muzzleloaders, rifles (including centerfire rifles .240 to .350), and handguns, as each is described in this rule, and rifles as described in Iowa Code section 483A.8(9) as enacted by 2022 Iowa Acts, Senate File 581, section 4, may be used during the population management January antlerless-deer-only season.

b. Excess tag January antlerless-deer-only season. Only rifles as described in Iowa Code section 483A.8(9) as enacted by 2022 Iowa Acts, Senate File 581, section 4, shall be used during the excess tag January antlerless-deer-only season.

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 \$5 for use during one or more legal hunting seasons. Depredation licenses will be available to producers of agricultural and horticultural crops.

(1) to (7) No change.

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

(1) Deer shooting permits will be issued at no cost for a fee of \$5 to the applicant.

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

Decision Item

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

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

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

Proposed Rule Change - This rule making proposes to extend the regular furharvest season by one month. The season will end on the last day of February (February 28th), rather than the last day of January (January 31st). The rule also proposes a continuous open season state-wide for raccoon hunting and trapping. Raccoons shall only be trapped with either live-catch cage traps or dog-proof traps outside of normal trapping dates. This proposed rule change is biologically responsible, as required by law. It will increase recreational opportunities for Iowa fur harvesters while reducing negative social issues associated with high raccoon and other furbearer densities.

Todd Bishop, Wildlife Bureau Chief
Conservation and Recreation Division
NRC Meeting Date: December 8, 2022

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

NATURAL RESOURCE COMMISSION[571]

Notice of Intended Action

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

Legal Authority for Rule Making

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

State or Federal Law Implemented

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

Purpose and Summary

Chapter 108 sets the season dates, bag limits, possession limits, and areas open to hunting or trapping furbearers. This rule making proposes to extend the regular furharvest season by one month. The season will end on the last day of February (February 28th), rather than the last day of January (January 31st). The rule also proposes a continuous open season state-wide for raccoons hunting and trapping. Raccoons shall only be trapped with either live-catch cage traps or dog-proof traps. This proposed rule change is biologically responsible, as required by law. It will increase recreational opportunities for Iowa fur harvesters while reducing negative social issues associated with high raccoon and other furbearer densities.

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 DATE, TIME. Comments should be directed to:

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

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows. Upon arrival, attendees should proceed to the fourth floor to check in at the Department reception desk and be directed to the appropriate hearing location.

DATE Wallace State Office Building
TIME Conference Room 4E
502 East Ninth Street
Des Moines Iowa

Persons who wish to make oral comments at the public hearing will 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 proposed:

ITEM 1. Amend rule 571—108.1(481A), introductory paragraph, as follows:

571—108.1 (481A) Mink, muskrat and weasel. Open season for the taking of mink, muskrat and weasel shall be from 8 a.m. on the first Saturday in November through ~~January 31~~February 28 of succeeding year. Entire state open. No bag or possession limit.

ITEM 2. Amend rule 571—108.2(481A) as follows:

571—108.2 (481A) ~~Raccoon, b~~Badger, opossum and striped skunk. Open season for the taking of raccoon, badger, opossum, and striped skunk shall be from 8 a.m. on the first Saturday in November through ~~January 31~~February 28 of succeeding year. Entire state open. No bag or possession limit.

ITEM 3. Renumber rules **571—108.3(481A)** to **571—108.9(481A)** as **571—108.4(481A)** to **571—108.10(481A)**.

ITEM 4. Adopt the following **new** rule 571—108.3(481A):

571—108.3(481A) Raccoon.

108.3(1) Hunting. Continuous open season. Entire state open. No bag or possession limit.

108.3(2) Trapping. Continuous open season using cage traps and dog-proof traps year-round. Trapping limitations described in 571 IAC Chapter 110 apply to trapping raccoons from 8 a.m. on the first Saturday in November through February 28 of succeeding year. Entire state open. No bag or possession limit.

ITEM 5. Amend renumbered rule 571—108.4(481A) as follows:

571—108.4 (481A) Red and gray fox. Open season for the taking of red and gray fox shall be from 8 a.m. on the first Saturday in November through ~~January 31~~February 28 of succeeding year. Entire state open. No bag or possession limit.

ITEM 6. Amend renumbered subrule 108.6(2) as follows:

108.6(2) Trapping. Open season for trapping coyote shall be 8 a.m. on the first Saturday in November through ~~January 31~~February 28 of succeeding year. Entire state open. No bag or possession limit. Any conservation officer or wildlife biologist may authorize a landowner, tenant or designee to trap coyotes causing damage outside the established trapping season dates.

ITEM 7. Amend renumbered subrule 108.8(4) as follows:

108.8(4) Season dates. The season for taking river otters and bobcats opens on the first Saturday in November and closes on ~~January 31~~February 28 of the following year.

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

Decision Item

11. Chapter 23, “Wildlife Habitat Promotion with Local Entities Program”, Chapter 27, “Lands and Waters Conservation Fund Program,” Chapter 29, “Local Recreation Infrastructure Grants Program,” Chapter 30, “Waters Cost-share and Grant Programs,” Chapter 33, “Resource Enhancement and Protection Program: County, City and Private Open Spaces Grant Programs,” and Chapter 35, “Fish Habitat Promotion for County Conservation Boards,” – Final Rule

The Commission is requested to adopt a Final rule to amend Chapter 23, “Wildlife Habitat Promotion with Local Entities Program”, Chapter 27, “Lands and Waters Conservation Fund Program,” Chapter 29, “Local Recreation Infrastructure Grants Program,” Chapter 30, “Waters Cost-share and Grant Programs,” Chapter 33, “Resource Enhancement and Protection Program: County, City and Private Open Spaces Grant Programs,” and Chapter 35, “Fish Habitat Promotion for County Conservation Boards.”

Basic Intent of Current Rule:

Chapter 23, Wildlife Habitat Promotion with Local Entities Program: To allocate wildlife habitat stamp revenues to local entities. These funds must be used specifically for the acquisition of whole or partial interests in land from willing sellers for use as wildlife habitats, and the development and enhancement of wildlife lands and habitat areas.

Chapter 27, Lands and Waters Conservation Fund Program: To offer grants to Iowa’s cities and counties to assist with planning, acquisition, and development of outdoor recreation.

Chapter 29, Local Recreation Infrastructure Grants Program: To provide state cost sharing to communities, counties, organizations and associations for the restoration or construction of recreational complexes or facilities.

Chapter 30, Waters Cost-share and Grant Programs: To offer cost-share funds to water trails infrastructure projects, such as water accesses, parking areas, restrooms, and paddlecraft campsites. Eligible applicants include any local divisions of Iowa government.

Chapter 33, Resource Enhancement and Protection Program-County, City and Private Open Spaces Grant Programs: To administer the private cost-sharing funds within the open spaces account, the county conservation account, and the city park and open spaces account of the resource enhancement and protection fund.

Chapter 35, Fish Habitat Promotion for County Conservation Boards: To allocate fish habitat revenue to county conservation boards. These funds shall be used specifically to acquire from willing sellers whole or partial interest in land for use as or for protection offish habitats and to develop and enhance fishable waters and habitat areas.

NOIA Process: The Notice of Intended Action was approved by the NRC on October 13, 2022. Several grant programs do not explicitly address conflicts within the pre-selected scoring committee. The proposed rule adds language that requires designation of at least two alternates. The alternates will be available to serve in the place of a primary committee member whenever the primary committee member is directly participating in a grant cycle.

Additionally, a few grant programs have antiquated submission rules, requiring that paper copies be mailed to a particular address. The Department of Natural Resources (Department) began using an electronic grant submission portal in 2020. This new method is easy and cost-effective. The proposed rules require that applications be submitted via a form or a method specified on the Department’s website. This will enable the Department and grant applicants to utilize new systems as technology improves over time.

Finally, many grant programs have fixed deadlines set forth in rule (i.e., March 15). This prevents flexibility on grant deadlines even when extraordinary events may justify accommodations. The proposed amendments mirror existing language in 571--Chapter 30 that allows a submission deadline to be published on the Department's website with a least 90 days' notice. Notably, Chapter 30's publication-based framework has been successfully utilized for 14 years. The proposed rule would allow the Department to change a deadline when circumstances warrant, while still ensuring plenty of public notice.

The Notice of Intended Action was published in the Iowa Administrative Bulletin on November 2, 2022, as ARC 6630C. A public hearing was held on November 22, 2022. No one attended the hearing. No public comment was received.

Changes from NOIA: None

Effective Date of Final Rule: February 15, 2023

Michelle Wilson, CRD Executive Officer II
Conservation and Recreation Division
NRC Meeting Date: December 8, 2022

NATURAL RESOURCE COMMISSION[571]

Adopted and Filed

The Commission hereby amends Chapter 23, "Wildlife Habitat Promotion with Local Entities Program," Chapter 27, "Lands and Waters Conservation Fund Program," Chapter 30, "Waters Cost-Share and Grant Programs," Chapter 33, "Resource Enhancement and Protection Program: County, City and Private Open Spaces Grant Programs," and Chapter 35, "Fish Habitat Promotion for County Conservation Boards," Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code sections 455A.5(6), 455A.19(1)"b," 455A.19(1)"d" and 462A.3.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code sections 452A.79A, 455A.19, 456A.29 to 456A.33, 461A.3, 464A.11 and 483A.3A.

Purpose and Summary

The Commission is amending rules related to multiple grant programs to add provisions addressing conflicts of interest, electronic filing, and more adaptable filing deadlines.

Several grant programs do not explicitly address conflicts within the preselected scoring committee. This rule making adds language that requires designation of at least two alternates. The alternates will be available to serve in the place of a primary committee member whenever the primary committee member is directly participating in a grant cycle.

Additionally, a few grant programs have antiquated submission rules, requiring that paper copies be mailed to a particular address. The Department of Natural Resources (Department) began using an electronic grant submission portal in 2020. This new method is easy and cost-effective. The amendments require that applications be submitted via a form or a method specified on the Department's website. This will enable the Department and grant applicants to utilize new systems as technology improves over time.

Finally, many grant programs have fixed deadlines set forth in rule (e.g., March 15). This prevents flexibility on grant deadlines even when extraordinary events may justify accommodations, such as the derecho and COVID-19, both experienced within the last several years. The amendments mirror existing language in Chapter 30 that allows a submission deadline to be published on the Department's website with at least 90 days' notice. Notably, Chapter 30's publication-based framework has been successfully utilized for 14 years. The amendment would allow the Department to change a deadline when circumstances warrant while still ensuring plenty of public notice.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on November 2, 2022, as **ARC 6630C**.

A virtual public hearing was held on November 22, 2022, at Noon. No one attended the hearing. No public comment was received.

No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the Commission on December 8, 2022.

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 Commission 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 on February 15, 2023.

The following rule-making action is adopted:

ITEM 1. Amend subrule 23.6(2) as follows:

23.6(2) Time of submission. Applications for funds shall be reviewed and selected for funding ~~during January and July of each year~~ at least twice per year. The department shall publish on its website the date and time for submitting a funding proposal, providing at least 90 days' notice. Applications must be ~~received in acceptable form by~~ submitted to the Department of Natural Resources, Wallace State Office Building, Des Moines, Iowa 50319, ~~by the close of business on the last business day of May for consideration at the summer review and the last business day of November for the winter review~~ department as described on the website. Changes to grant applications must be submitted to the department no later than 4 p.m. the day prior to the committee review date. Upon timely notice to eligible recipients, additional selection periods may be scheduled if necessary to expedite the distribution of these funds. In emergencies, local entities can obtain a waiver so that acquisition projects may be approved for retroactive payments, provided that funds are available and the project meets all other criteria.

ITEM 2. Amend subrule 23.7(1) as follows:

23.7(1) Review and selection committee.

a. A review and selection committee, hereinafter referred to as the committee, composed of one person appointed by the director to represent the department and designated by the director as chairperson and four persons appointed by the director to represent county conservation boards shall determine which grant applications and amendment requests shall be selected for funding. Additionally, there shall be at least two alternates designated by the director to represent the county conservation boards in the event of a conflict of interest.

b. Conflict of interest. An individual who is a member, volunteer, or employee of a county conservation board that has submitted a project shall not serve on the scoring committee during that award cycle. Instead, one of the alternates shall review and score in the individual's place.

ITEM 3. Amend subrule 27.5(2) as follows:

27.5(2) Application timing. The following information applies to local projects only. Grant applications and amendment requests which increase the existing grant amount shall be reviewed and selected for funding on an annual basis as provided in subrule 27.2(2). ~~Annual reviews shall be held in April. Applications must be received in acceptable form by the Department of Natural Resources, Wallace State Office Building, Des Moines, Iowa 50319-0034, by the close of business on the work day closest to the fifteenth day of March.~~ The department shall publish on its website the date and time for submitting a funding proposal, providing at least 90 days' notice. Applications must be submitted to the department as described on the website.

ITEM 4. Amend subrule 27.6(1) as follows:

27.6(1) Review and selection committee.

a. A five-member review and selection committee, hereinafter referred to as the committee, shall be composed of three staff members of the department as appointed by the director of the department, one member appointed

by the director with input from the Iowa ~~Association of County Conservation Boards~~ association of county conservation boards, and one member appointed by the director of the department with input from the Iowa ~~League of Cities~~ league of cities and the Iowa ~~Parks and Recreation Association~~ parks and recreation association. Additionally, there shall be at least two alternates designated by the director with input from both associations and the league of cities. The committee shall determine which grant applications and amendment requests shall be selected for funding at the local level. A review and selection committee for state projects shall be composed of four staff members of the department as appointed by the director.

b. Conflict of interest. An individual who is a member, volunteer, or employee of an entity that has submitted a project shall not serve on the scoring committee during that award cycle. Instead, one of the alternates shall review and score in the individual's place.

ITEM 5. Rescind rule 571—30.8(452A) and adopt the following new rule in lieu thereof:

571—30.8(452A) Application procedures. Applications for funds shall be reviewed and selected for funding at least once per year. The department shall publish on its website the date and time for submitting a funding proposal, providing at least 90 days' notice. Applications must be submitted to the department as described on the website.

ITEM 6. Rescind and reserve rule **571—30.14(77GA,SF2381)**.

ITEM 7. Amend rule **571—30.51(455A,461A,462A)**, definition of "Scoring committee," as follows:

"*Scoring committee*" means the water trails scoring committee, which consists of the coordinator, two ~~other~~ department staff members appointed by the director, and two representatives and two alternates of the water recreation community selected by the director.

ITEM 8. Amend rule 571—30.57(455A,461A,462A) as follows:

571—30.57(455A,461A,462A) Proposal evaluation.

30.57(1) Proposals will be evaluated by the scoring committee. The scoring committee shall evaluate both water trails development program proposals and low-head dam public hazard program proposals.

30.57(2) Conflict of interest. An individual who is a member, volunteer, or employee of an entity that has submitted a project shall not serve on the scoring committee during that award cycle. Instead, one of the alternates shall review and score in the individual's place.

ITEM 9. Amend subrule 33.5(2) as follows:

33.5(2) Applications for all grant programs shall be made on forms provided by the department. ~~An original and five copies shall be submitted by deadlines as specified in subrule 33.5(4) of this chapter or as otherwise published by the department.~~

ITEM 10. Amend subrule 33.5(4) as follows:

33.5(4) Application deadlines are the same for county, city, and private open space grant programs. Applications will be reviewed and projects selected for funding ~~one time each year in September~~ at least once per year. ~~Applications must be received in acceptable form by the department by the close of business on the fifteenth day of August. The department shall publish on its website the date and time for submitting a funding proposal, providing at least 90 days' notice. Applications must be submitted to the department as described on the website.~~ Upon a 60-day notice to potential applicants, the department may schedule additional review and selection periods to expedite the distribution of grant funds.

ITEM 11. Amend subrule 33.30(3) as follows:

33.30(3) Project planning and review committee.

a. The makeup of this committee is as follows: two representatives of the department appointed by the director; two county conservation board directors appointed by the director of the department with input from the Iowa ~~Association of County Conservation Boards~~ association of county conservation boards; one member selected every three years by a majority vote of the director's appointees. Additionally, there shall be at least two alternates designated by the director with input from the Iowa association of county conservation boards. The members shall select a chairperson at the first meeting during each calendar year. Terms of appointment to the committee shall be on a three-year staggered term basis.

b. Conflict of interest. An individual who is a member, volunteer, or employee of an entity that has submitted a project shall not serve on the scoring committee during that award cycle. Instead, one of the alternates shall review and score in the individual's place.

ITEM 12. Amend subrule 33.40(4) as follows:

33.40(4) Review and selection committee.

a. The director shall appoint a five-member review and selection committee to evaluate project applications. This committee shall include one member representing each of the three size classes of cities (e.g., one from a city of

less than 2,000, one from a city of 2,000 to 25,000, and one from a city of over 25,000). The director shall request a list of candidates from the Iowa league of Iowa cities and Iowa parks and recreation association. The remaining two members of the committee shall be a representative of the department and an at-large member. Additionally, there shall be at least two alternates designated by the director from the candidates list provided by the Iowa league of cities and the Iowa parks and recreation association. The committee shall elect its own chairperson from its members. Members shall serve three-year staggered terms.

b. Conflict of interest. An individual who is a member, volunteer, or employee of an entity that has submitted a project shall not serve on the scoring committee during that award cycle. Instead, one of the alternates shall review and score in the individual's place.

ITEM 13. Amend subrule 33.50(4) as follows:

33.50(4) Project review and selection committee.

a. The director shall appoint a committee to review and score projects. The committee shall include the following: three persons representing the private sector and two alternates selected from a pool of potential names as submitted to the director by the various private eligible groups; administrator of the conservation and recreation division of the department, or the administrator's designee; and the bureau chiefs of the department's ~~forestry~~ wildlife bureau and parks, ~~forests~~, and preserves bureau or their designees. The committee shall elect its own chairperson from its members. ~~The director shall request a list of candidates for the private sector members from groups eligible to participate in this program.~~ The committee will report to the director the order in which proposed projects were ranked using criteria as specified in 33.50(5).

b. Conflict of interest. An individual who is a member, volunteer, or employee of an entity that has submitted a project shall not serve on the scoring committee during that award cycle. Instead, one of the alternates shall review and score in the individual's place.

ITEM 14. Amend subrule 35.5(2) as follows:

35.5(2) Time of submission. Applications for funds shall be reviewed and selected for funding ~~during January of each year at least once per year~~. ~~The district designee shall receive an original application and six copies in acceptable form by the close of business on the last business day of November of the previous year for consideration. The district shall forward a copy of all applications to the department's designee by December 15 of the previous year. The department shall publish on its website the date and time for submitting a funding proposal, providing at least 90 days' notice. Applications must be submitted to the department as described on the website. Upon timely notice to eligible recipients, additional selection periods may be scheduled if necessary to expedite the distribution of funds. In emergencies, a county may request a waiver so that an acquisition project may be approved for retroactive payments if funds are available and the project meets all other criteria.~~

ITEM 15. Amend subrule 35.6(1) as follows:

35.6(1) Review and selection committee.

a. Each district shall have a review and selection committee, hereinafter referred to as the committee. Each committee shall be composed of at least five county directors or their designees, with at least two designated alternates. Each district's committee shall determine which grant applications and amendment requests shall be selected for funding. For advisory purposes only, a department biologist or designee shall be present during review and selection of grant applications and amendment requests.

b. Conflict of interest. An individual who is a member, volunteer, or employee of an entity that has submitted a project shall not serve on the scoring committee during that award cycle. Instead, one of the alternates shall review and score in the individual's place.

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

Decision Item (**indicates proposed consent*)

***12. Contract Amendment-2 with Marine Safety Experts, Inc.**

Commission approval is requested for a service contract amendment with Marine Safety Experts, Inc. of Gary, Indiana.

Amendment-2 Terms:

Amendment Amount: No change (see original terms below)

Amendment Dates: January 1, 2023 to December 31, 2024

Funding Source(s): Permanently Moored Vessel Operators Fees pursuant to 571 IAC 48.5(2)

Amendment Purpose: This amendment extends, by two-years, Marine Safety Experts, Inc.'s, obligation to administer the PMV Inspection Program. Currently, there are two permanently moored vessels in Iowa; one in Marquette, IA, and one in Council Bluffs, IA.

Original Contract Purpose: IAC Chapter 48, "Inspection of Permanently Moored Vessels," establishes procedures for compliance with requirements set forth in Iowa Code §§ 99F.7(14) and 462A.20 for the inspection of excursion boats used for gambling that are removed from navigation and designated as PMVs by the United States Coast Guard. Rule 48.5 authorizes DNR to enter into a statewide contract for the purpose of administering the PMV Inspection Program. The contractor will inspect PMVs for viability, maintain all records related to the inspections, and provide program administration. Since 2005, DNR has contracted with Marine Safety Experts, Inc. for this purpose.

Original Selection Process: The Department solicited proposals from targeted small businesses and also published a request for proposals (RFP) on the Department of Administrative Services website. Qualifications outlined in Code are: have prior experience as a U.S. Coast Guard marine inspector or as a classification society; or be a classification surveyor acting on behalf of a classification society; or be a professional engineer licensed by one of the 50 states; or be a professional naval architect or marine engineer.

Contract History:

Original Contract Terms: Amount: \$24,500, per PMV operator, per year, adjusted annually by a percentage equal to the average inflation rate calculated using federal Consumer Price Index monthly average changes for the previous 12 months, plus additional service fees. All fees are paid by PMV operators pursuant to IAC Chapter 48; DNR bears no costs. Timeframe: December 28, 2017 - December 31, 2021

Amendment-1: Amount: \$24,500, per PMV operator, per year, adjusted annually by a percentage equal to the average inflation rate calculated using federal Consumer Price Index monthly average changes for the previous 12 months, plus additional service fees. All fees are paid by PMV operators pursuant to IAC Chapter 48; DNR bears no costs. Timeframe: January 1, 2022 - December 31, 2022; Purpose: extend contract

Tammie Krausman, Communications, Outreach and Marketing Bureau Chief
Conservation and Recreation Division
NRC Meeting Date: December 8, 2022

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

Decision Item (**indicates proposed consent*)

***13. Contract with Greg Mohr (Center Lake)**

Commission approval is requested for a contract with Greg Mohr, of Spirit Lake, Iowa.

Contract Terms

Amount: Not to exceed \$36,690

Dates: January 1, 2023 to May 26, 2023

Funding Source(s): Lake Restoration Fund

Contract Purpose: Common Carp are a threat to ongoing water quality improvement efforts in Center Lake (Dickinson County) because they continuously disturb bottom sediments. Reducing Common Carp biomass to 50 pounds per acre or less can substantially improve water quality. Undesirable fish, such as Common Carp, are traditionally removed by contracted commercial fishers who use large seines to harvest the fish and then sell them to wholesale markets out of state. Normally, fish values are high enough that contractors will pay the Department to remove undesirable fish from a lake. However, Center Lake does not contain a high enough density of more valuable undesirable fish (e.g., Bigmouth Buffalo) and Common Carp market prices are currently too low for commercial fishing operations to be profitable. The Department has been unsuccessful at reaching its Common Carp biomass goal on this lake using traditional commercial fishing contracts. Therefore, this contract will pay the commercial fisher for removal of 10,000 pounds of Common Carp from Center Lake. Based on the Department's estimates, this poundage goal should reduce Common Carp biomass to 50 pounds per acre. The contractor will be required to immediately release all other fish species they collect during seining operations and report the poundage of harvested fish to the DNR. Any unmarketable Common Carp will be disposed of locally.

Selection Process Summary: The Department solicited proposals from targeted small businesses and also published a Request for Bids (RFB) on the Department of Administrative Services website. The RFB was also sent directly to 3 contractors who recently held other fish removal contracts in this area. To be deemed qualified for fish removal, a contractor must: 1) have a minimum of 5 years' experience successfully removing fish from inland lakes using large bag seines for Local, State or Federal agencies; 2) possess a valid Iowa Commercial Fishing License; 3) provide the appropriate qualified staff ensuring all fish removal operations meet current Local, State, and Federal rules and guidelines; and 4) have all subcontractors approved by the DNR prior to any fish removal operations.

Date bids received: November 14, 2022

Number of Bids Received: 1

Recommendation: Greg Mohr

Travis Baker, Land and Waters Bureau Chief
Conservation and Recreation Division
NRC Meeting Date: December 8, 2022

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

Decision Item

14. Contract with Greg Mohr (Blackhawk Lake)

Commission approval is requested for a contract with Greg Mohr, of Spirit Lake, Iowa.

Contract Terms

Amount: Not to exceed \$123,001

Dates: January 1, 2023 to May 26, 2023

Funding Source(s): Lake Restoration Fund

Contract Purpose: Common Carp are a threat to ongoing water quality improvement efforts in Blackhawk Lake (Sac County) because they continuously disturb bottom sediments. Reducing Common Carp biomass to 50 pounds per acre or less can substantially improve water quality. Undesirable fish, such as Common Carp, are traditionally removed by contracted commercial fishers who use large seines to harvest the fish and then sell them to wholesale markets out of state. Normally, fish values are high enough that contractors will pay the Department to remove undesirable fish from a lake. However, Blackhawk Lake currently contains few, if any, Bigmouth Buffalo (i.e., a more valuable fish species that is normally targeted by commercial fishers) and Common Carp market prices are currently too low for commercial fishing operations to be profitable. The Department has been unsuccessful at reaching its Common Carp biomass goal on Blackhawk Lake using traditional commercial fishing contracts. Therefore, this contract will pay the commercial fisher for removal of 125,000 pounds of Common Carp from Blackhawk Lake. Based on the Department's estimates, this poundage goal should reduce Common Carp biomass to 50 pounds per acre. The contractor will be required to immediately release all other fish species they collect during seining operations and report the poundage of harvested fish to the DNR. Any unmarketable Common Carp will be disposed of locally.

Selection Process Summary: The Department solicited proposals from targeted small businesses and also published a Request for Bids (RFB) on the Department of Administrative Services website. The RFB was also sent directly to 3 contractors who recently held other fish removal contracts in this area. To be deemed qualified for fish removal, a contractor must: 1) have a minimum of 5 years' experience successfully removing fish from inland lakes using large bag seines for Local, State or Federal agencies; 2) possess a valid Iowa Commercial Fishing License; 3) provide the appropriate qualified staff ensuring all fish removal operations meet current Local, State, and Federal rules and guidelines; and 4) have all subcontractors approved by the DNR prior to any fish removal operations.

Date bids received: November 14, 2022

Number of Bids Received: 1

Recommendation: Greg Mohr

Travis Baker, Land and Waters Bureau Chief
Conservation and Recreation Division
NRC Meeting Date: December 8, 2022

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

Decision Item

15. On-Stream Impoundment Restoration Fund Grant FY 2023

The Commission is requested to approve funding for the recommended On-Stream Impoundment Restoration Fund Grant application pursuant to Iowa Code, Section 456A.33C.

Grant Purpose: The Iowa Legislature appropriated funds for fiscal year 2023 to assist state, county, municipal governments, or entities organized under chapter 357E with on-stream impoundment restoration projects. These funds are available competitively to protect, maintain, and enhance eligible impoundments and their related watersheds.

Funding Source: Rebuild Iowa Infrastructure Fund (RIFF)

Grant Funding Available: \$500,000

Summary of Selection Process: Grant applications have been scored according to Iowa Code, section 456A.33C, by a committee who met on November 9, 2022, to review one project requesting \$500,000 in RIFF funding. The grant was submitted to the central scoring committee who reviewed the grant and made a final selection based on eligibility and how the project complements the designated purpose and established goals of the on-stream restoration fund.

Selection Committee Members: The review committee consisted of five members:

Iowa Department of Natural Resources - Land & Waters Bureau (2)

Iowa Department of Agriculture and Land Stewardship (1)

Henry County Conservation Board (1)

City of Storm Lake (1)

Number of Applications Received: 1

Recommendations: The committee recommends funding for the one project listed in the table. In the event that the grantee is unable to execute their project, the Department requests authority to return the funds to the grant program for distribution in the next grant cycle.

Project Rank (Score)	Applicant	Title	Project Summary	Total Cost	Grant Request	Recommended Grant Award
1 (60 pts)	Lake Delhi Combined Recreational Facility and Water Quality District	Lake Delhi Dam Restoration and Sediment Management	This project involves a series of improvements to maintain long-term dam performance, public safety, and management of the impoundment. In addition, the District is requesting grant funding to support their ongoing sediment management plan.	\$1,000,000	\$500,000	\$500,000
	Totals			\$1,000,000	\$500,000	\$500,000

Travis Baker, Land & Waters Bureau Chief
Conservation and Recreation Division
NRC Meeting Date: 12/08/22

Decision Item

Commission approval is requested for a contract with the Dickinson County Water Quality Commission (WQC), of Spirit Lake, Iowa.

Funding Source(s): Lake Restoration Program

Travis Baker, Land and Waters Bureau Chief
Conservation and Recreation Division
NRC Meeting Date: December 8, 2022

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

Decision Item (**indicates proposed consent*)

***17. Public Land Management Project: Contract Amendment- 3 with Hertz Farm Management, Inc.**

Commission approval is requested for a service contract amendment with Hertz Farm Management, Inc., of Cedar Rapids, Iowa.

Amendment-3 Terms:

Amendment Amount: \$15,792.96

Amendment Dates: December 13, 2022 to December 12, 2023

Funding Source(s): Volga River State Recreation Area Operations

Amendment Purpose: Hertz Farm Management, Inc., assists the Iowa DNR with the administration of 987.06 acres of habitat leases on behalf of the Iowa DNR within Volga River State Recreation Area, Backbone State Park, and Pleasant Creek State Recreation Area. This amendment seeks to renew this contract for one more year and decrease acreage from 1200.65 acres to 987.06 acres. In the original RFP, the acreage total included leases at Lake MacBride State Park which were never implemented. Hertz has not been billing for those acres. This amendment corrects those acres out of the contract to accurately reflect the acreage that Hertz is managing. This contract allows for improved efficiency of the agricultural lease system and reduces operating expense of the wildlife habitat management.

Original Contract Purpose: The purpose of the habitat management lease program is to enhance habitat for wildlife in the state of Iowa, thereby providing recreational opportunities to the public. Utilization of a habitat lease provides practices which are essential to successful wildlife habitat and vegetation management and reduces associated operating expenses. In 1987 the DNR began a pilot project to explore the use of private farm managers to assist foresters and wildlife biologists with the administration of the agricultural leasing system to improve efficiency of the system and to reduce the operating expense of the wildlife habitat management.

Original Selection Process: The RFP process was used to select the contractor.

Contract History:

Original Contract Terms: Amount \$ 75,264; Timeframe: 12/14/2017 to 12/13/2020

Amendment 1 Terms: Amount \$25,088; Timeframe: 12/13/2020-12/12/2021; Purpose: extend contract

Amendment 2 Terms: Amount \$19,210.40; Timeframe: 12/13/2021-12/12/2022; Purpose: extend contract

Travis Baker, Land and Water Bureau Chief
Conservation and Recreation Division
NRC Meeting Date: December 8, 2022

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

Information Item

18. 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
10/27/22	23-02-94-02	Brushy Creek Recreation Area	Webster	Install a central dust collection system for the seed harvest area of the Prairie Resource Center.	\$28,000	\$36,085.33
11/3/22	23-03-03-01	Yellow River State Forest	Allamakee	Placement of revetment, crushed stone surfacing, and shape/blade the damaged sections of the Fire Tower Road.	\$43,000	\$24,450.00 \$30,400.00 \$32,953.00 \$40,880.00 \$49,600.00

Travis Baker, Land and Waters Bureau Chief
Conservation and Recreation Division
NRC Meeting Date: 12/08/2022

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

Decision Item

19. Construction Projects

19.1 Backbone State Park, Cabin & Museum Road Construction – Delaware County

The Department requests Commission approval of the following construction project:

Project Summary: Backbone State Park was dedicated in 1920 as Iowa's first state park. Park facilities include a 125 site campground, 16 cabins, day-use picnic shelters, a day-use lodge, a 21-mile hiking and biking trail system, a museum, and a trout stream.

The existing cabin road is 4,800 feet long, 16 ft wide and the existing museum road is 240 feet long, 14 ft wide. Both roads are asphalt and are experiencing signs of deterioration including rutting, cracking, and structural failure. The existing sanitary sewer manholes in the cabin road are deteriorating and have storm water infiltration which is impacting the sanitary sewer system. This contract consists of removing the existing 0.8 miles of asphalt roadways and the existing 18-vehicle parking lots and reconstructing them with approximately 11,000 square yards of Portland Cement Concrete, replacing 6 sanitary sewer manholes, adjusting the rim on one sanitary sewer manhole, replacing one intake and two pipes, and installing one new intake. The new pavement will be ADA compliant.

Engineering Project #: 21-03-28-02

Cost Estimate: \$1,500,000

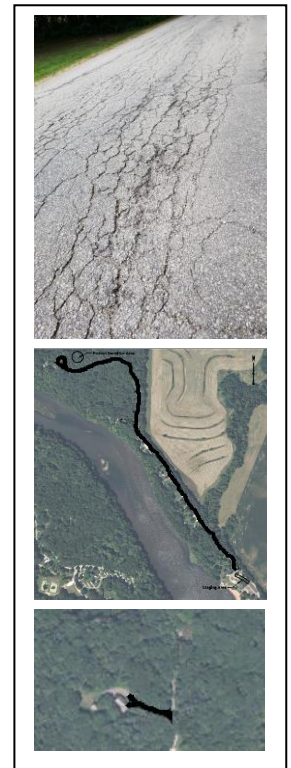
Operating Bureau: Parks

Funding Source: IA DOT Parks and Institutional Roads Fund (96%), Infrastructure (4%)

Bid Letting Date: 11/17/22

Construction Completion Date: 8/31/2023

Number of Bids Received: 8



Bidders

Wicks Construction, Inc.	Decorah, IA	\$1,009,262.00
Tschiggfrie Excavating	Dubuque, IA	\$1,057,579.50
Midwest Concrete, Inc.	Peosta, IA	\$1,098,054.50
Rays Excavating, LLC	Edgewood, IA	\$1,115,061.10
Eastern Iowa Excavating & Concrete LLC	Cascade, IA	\$1,129,100.80
Boomerang Corp of Iowa	Anamosa, IA	\$1,137,935.00
E & F Paving LLC	Cedar Rapids, IA	\$1,250,000.00
CJ Moyna and Sons, LLC	Elkader, IA	\$1,538,415.95

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

19.2 Lake Sugema WMA, Water Control Structure Replacement – Van Buren County

The Department requests Commission approval of the following construction project:

Project Summary: Lake Sugema WMA is located five miles west of Keosauqua, and consists of 3,775 acres of upland, timber, and aquatic habitat, and abuts to Shimek State Forest. Included in that area is a 574-acre lake originally constructed in 1992, is stocked with largemouth bass, bluegill, black crappie, and channel catfish.

The main stream feeding the lake, Big Indian Creek, is filtered by a sediment pond that was constructed at the same time as the lake. The existing water control structure is constructed of corrugated metal, and is in need of replacement. This structure will be replaced with a concrete drop inlet with aluminum stoplogs and a smooth steel pipe outlet. The new inlet will improve the efficiency of the sediment pond by improving temporary water storage and add additional capacity for sediment storage.



Engineering Project #: 22-06-89-01

Cost Estimate: \$140,000.00

Operating Bureau: Wildlife

Funding Source: Lake Restoration (40%), Federal EPA 319 (30%), REAP Open Spaces (30%)

Bid Letting Date: 11/17/2022

Construction Completion Date: 8/15/2023

Number of Bids Received: 3

Bidders

Nagel Construction	Allerton, IA	\$124,291.00
Drish Construction, Inc	Fairfield, IA	\$232,607.50
Cole Construction Co., Inc	Keosauqua, IA	\$267,969.935

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

19.3 Saylorville WMA, Road Maintenance – Dallas County

The Department requests Commission approval of the following construction project:

Project Summary: The Saylorville WMA is 11,013 acres in size and stretches Boone, Dallas and Polk counties. The area consists of the Des Moines River valley from Highway 17 in Polk County to Fraser, and includes timber, upland, and lake habitat. This area has numerous parking lots and river boat ramps.

The area is located on the west side of the river, about three miles southwest of Madrid. Within this area, 1.6 miles of rock roads are in need of maintenance. Three large (6-foot plus) culverts and several hundred feet of ditch, have silted in considerably and are causing some drainage and erosion issues. Construction will include reestablishing the roadway crown and/or cross slope sections to prevent future ponding on the roadway. New rock will be placed on the road. Also, the existing culverts and the silted in ditches will be cleaned out to provide better drainage and a new culvert will be installed in an area that frequently gets overtopped and washed out during rain events. Ditch checks will be installed on a steeper section of roadway to prevent future embankment erosion and rip rap will be placed around the culverts to prevent future erosion.



Engineering Project #: 23-02-25-01

Cost Estimate: \$200,000

Operating Bureau: Wildlife

Funding Source: IA DOT Parks and Institutional Roads Fund

Bid Letting Date: 11/17/2022

Construction Completion Date: 06/30/2023

Number of Bids Received: 6

Bidders

Nagel Construction	Allerton, IA	\$164,725.00
IA Builders, LLC	Albia, IA	\$176,905.40
Iowa Earthworks	Huxley, IA	\$181,292.00
Central Iowa Dirt & Demo, LLC	Woolstock, IA	\$185,992.00
Wenthold Excavating, LLC	Elkhart, IA	\$243,160.00
Keller Excavating, Inc.	Boone, IA	\$273,114.00

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

Travis Baker, Land and Waters Bureau Chief

Conservation and Recreation Division

NRC Meeting Date: 12/08/2022