

# Agenda

## Natural Resource Commission

Thursday, July 13, 2023

Teleconference: 442-242-3609 PIN: 883 789 392#

Video Conference: [meet.google.com/sco-mbns-qva](https://meet.google.com/sco-mbns-qva)

502 East 9<sup>th</sup> Street, Des Moines, Iowa 50319

Note room change: 4<sup>th</sup> floor, Conference room 4E & 4W

**Thursday, July 13, 2023**

**9:30 AM – NRC Business Meeting**

Public participation begins at approximately 10:00am. If you are unable to attend the business meeting, comments regarding agenda items may be submitted for public record to Jenny Miller at [Jenny.Miller@dnr.iowa.gov](mailto:Jenny.Miller@dnr.iowa.gov) or 502 East 9th St, Des Moines IA 50319 up to 24 hours prior to the business meeting.

1.	Approval of Agenda Consent Agenda (*within agenda indicates proposed consent agenda item) *6. Contract Amendment 1—TriEst Ag Group, Inc *7. Contract Amendment 1 – Forum Communications Company *10. Public Land Management Projects (10.1-10.3)	Decision	Commission
2.	Approve Minutes of 6/8/23 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.	Contract Amendment 1 – TriEst Ag Group, Inc	Decision	Jeff Goerndt
*7.	Contract Amendment 1 – Forum Communications Company	Decision	Joe Larscheid
8.	Brass Bluegill Award and Special Recognition	Information	Tammie Krausman
9.	Chapter 106, "Deer Hunting by Residents" – Final Rule	Decision	Todd Bishop
*10.	Public Land Management Projects	Decision	Travis Baker
10.1	Chapter 18 Lease Renewal – Mississippi River – Clayton County	Decision	Travis Baker
10.2	Chapter 18 Lease – Muscatine County – River Trading Company LTD	Decision	Travis Baker
10.3	Chapter 18 Lease – Clayton County – Robert and Shelly Amen	Decision	Travis Baker
11.	Construction-Small Project: Lake McBride State Park, Johnson County: replace all wood decking, railings and concrete at fishing pier.	Information	Travis Baker
12.	Construction-Large Projects	Decision	Travis Baker
12.1	Stone State Park, Pavement Maintenance – Woodbury County	Decision	Travis Baker
13.	General Discussion		
Upcoming NRC Meeting Dates			
<ul style="list-style-type: none"> <li>Wednesday, August 9, 2023, Wallace Building</li> <li>Thursday, September 14, 2023, Wallace Building</li> <li>Thursday, October 12, 2023, Wallace Building</li> </ul>			

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](mailto:Webmaster@dnr.iowa.gov), and advise of specific needs.

The Iowa Department of Natural Resources (DNR) does not discriminate on the basis of race, color, religion, sex, sexual orientation, gender identity, national origin, English-language proficiency, disability, or age in the administration of its programs or activities in accordance with applicable laws and regulations. DNR will not tolerate discrimination, intimidation, threats, coercion, or retaliation against any individual or group because they have exercised their rights protected by federal or state law.

**MINUTES OF THE  
NATURAL RESOURCE COMMISSION  
MEETING**

**June 9, 2023**

**Video Teleconference  
and  
Wallace State Office Building**

**Approved by the Commission **TBD****



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Lyon  
Date: 2023.06.26 08:29:15  
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Kayla Lyon, Director

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## Meeting Minutes

### CALL TO ORDER

The meeting of the Natural Resource Commission (Commission or NRC) was called to order by Chairperson Marcus Branstad at 9:30am on June 8, 2023 via a combination of in-person and video/teleconference attendees.

### COMMISSIONERS PRESENT

Laura Foell  
KR Buck  
Tom Prickett (virtual)  
Tammi Kircher  
Marcus Branstad

### COMMISSIONERS ABSENT

Uriah Hansen

### PUBLIC PARTICIPATION

Name	Address/County	Representing	Topic
None	NA	NA	NA

### APPROVAL OF AGENDA AND CONSENT AGENDA

The consent agenda included the following agenda items:

- Public Land Management Projects
  - Chapter 18 Lease Renewal—Muscatine County—Muscatine Power and Water
  - Chapter 17 Lease Renewal—Allamakee County—Interstate Power and Light Company
  - Management Agreement—Wildcat Cave—Hardin County Conservation Board—Hardin County

*Motion was made by Laura Foell to approve the agenda and consent agenda as presented. Seconded by Tammi Kircher.*

*The Chairperson asked for the Commissioners to approve the agenda by saying aye. There were no nay votes. Motion passes.*

**AGENDA AND CONSENT AGENDA APPROVED AS PRESENTED**

### APPROVAL OF MINUTES

*Motion was made by Tammi Kircher to approve the May 11, 2023 NRC minutes as presented. Seconded by Laura Foell.*

*The Chairperson asked for the Commissioners to approve the agenda by saying aye. There were no nay votes. Motion passes.*

**APPROVED AS PRESENTED**

### DIRECTOR'S REMARKS

- Director Lyon shared information about the ribbon cutting for the Maquoketa River Water trail project in Jackson County. This particular water trail is the one of the more scenic water trails in the state's quiver. It is also one of the only two state water trails to have a paddlecraft campsite, which can only be accessed from the river or by a long hike in from the nearest road. This project was driven by locals with the input from DNR staff on technical support. These two new water trails (The Maquoketa & North Fork Maquoketa) add more than 90 additional miles to the overall state total. This gives more opportunities to paddle water trails in Iowa.

**DIVISION ADMINISTRATOR'S REMARKS**

- Division Administrator Pete Hildreth provided an update on the DNR's progress with Executive Order 10 that was signed by the Governor on January 10, 2023. The Wildlife Bureau held four stakeholder meetings with attendees present at each meeting.
- Mr. Hildreth shared that with warm temperatures, there have been a lot of recreational use including boat navigation and state park visits. The DNR is encouraging everyone to get outside with their Kick Off Summer campaign starting the weekend of Jun 9-11, 2023. Kick Off Summer with your family in an Iowa state park or forest. Dozens of state parks will host family-friendly activities. More information is provided on the DNR's website.
- Mr. Hildreth also gave an update on the OHV park in Council Bluffs. DNR staff met with the City of Council Bluffs to discuss the options for the park.
- There was a discussion amongst DNR staff and Commissioners regarding the pros and cons with increasing dove plots around the state.

**DONATIONS**

Pete Hildreth requested Commission approval of donations received by the DNR from the following individuals and organizations: Garry and Robert Brandeburg; Marth Kroese; Kathy Shelton; Stephanie Burris; Nancy Ruzicka; Andrew Feider; Trudy J. Eaton; Ann Medrano; David Sykora; and Cristine Souer.

**Public Comments – None**

**Written Comments – None**

*Motion was made by Laura Foell to approve the item as presented. Seconded by KR Buck.*

*The Chairperson asked for the Commissioners to approve the motion by saying aye. There were no nay votes. Motion passes.*

**APPROVED AS PRESENTED**

**REAP PRIVATE PUBLIC COST-SHARE GRANTS (FY2023)**

Pete Hildreth requested Commission approval of the recommendations from the Project Review and Selection Committee for the REAP Public/Private Cost-share grants as directed by 571 Iowa Administrative Code Chapter 33. This program provides an excellent opportunity to cost share with private entities for the purchase of high-quality natural areas that become public property. The DNR manages the property that is jointly purchased. The committee recommends funding The White Horse Access Addition, which is the final piece needed to complete the expansion of the 457-acre White Horse Access, also expanding a 753-acre greenbelt. This will be a Wildlife Management Area and open to the public for hunting.

**Public Comments – None**

**Written Comments – None**

*Motion was made by KR Buck to approve the item as presented. Seconded by Tammi Kircher.*

*The Chairperson asked for the Commissioners to approve the motion by saying aye. There were no nay votes. Motion passes.*

**APPROVED AS PRESENTED**

**LAND AND WATER CONSERVATION FUND CITY AND COUNTY GRANT RECOMMENDATIONS (FY2023)**

Detra Dettmann requested Commission approval for the following grant recommendations pursuant to 571 IAC 27, Lands and Waters Conservation Fund Program. The Land and Water Conservation Fund (LWCF) is a federally funded, fifty percent cost share, grant program. The purpose of LWCF is to offer grants to Iowa's cities and counties to assist with the acquisition and development of outdoor recreation. There are 9 recommended projects.

**Public Comments – None**

**Written Comments – None**

*Motion was made by Tom Prickett to approve the item as presented. Seconded by Tammi Kircher.*

*The Chairperson asked for the Commissioners to approve the motion by saying aye. There were no nay votes. Motion*

*passes.*

**APPROVED AS PRESENTED**

#### **2023-2024 DEER MANAGEMENT ZONE HUNTS**

Chris Ensminger requested Commission approval for the Deer Management Zone Hunts for the upcoming season as required by 571 Iowa Administrative Code 105.3. The list includes zones to be open to hunting, season dates, legal weapons, license types and quotas, and other information required by rule. Representatives for all of the cities on the list have indicated they want to be included in the list of special hunts. There will be 66 different locations, although several will have multiple hunts on them.

**Public Comments – None**

**Written Comments – None**

*Motion was made by Laura Foell to approve the item as presented. Seconded by Tammi Kircher.*

*The Chairperson asked for the Commissioners to approve the motion by saying aye. There were no nay votes. Motion passes.*

**APPROVED AS PRESENTED**

#### **KIRKE WOODS WILDLIFE MANAGEMENT AREA, MADISON COUNTY**

Travis Baker requested Commission approval to purchase a tract of land located in Madison County adjacent to the Kirke Woods Wildlife Management Area (WMA). Mr. Baker highlighted that it is an L-shaped property. Land use includes 197 acres of oak timber, native prairie grass, wetlands, creek tributaries, and the North River, and 43 acres of cropland. Mr. Baker explained how Heritage Hills obtained the land.

**Public Comments – None**

**Written Comments – None**

*Motion was made by KR Buck to approve the item as presented. Seconded by Tammi Kircher.*

*The Chairperson asked for a roll call vote. Tom Prickett-aye, Tammie Kircher-aye, Laura Foell-nay, KR Buck-aye, Marcus Branstad-aye. Motion passes*

**APPROVED AS PRESENTED**

#### **BROWN'S LAKE WILDLIFE MANAGEMENT AREA, WOODBURY COUNTY**

Travis Baker requested Commission approval to accept the donation of a tract of land located in Woodbury County near Brown's Lake Wildlife Management Area. The property will provide for public access to hunting, fishing, and other outdoor recreation opportunities. There also exists potential for near urban fishery and management for migrating shorebirds and waterfowl.

**Public Comments – None**

**Written Comments – None**

*Motion was made by Tammi Kircher to approve the item as presented. Seconded by KR Buck.*

*The Chairperson asked for the Commissioners for a roll call vote. Tammi Kircher-aye, KR Buck-aye, Laura Foell-nay, Tom Prickett-aye, Marcus Branstad-aye. Motion passes.*

**APPROVED AS PRESENTED**

#### **HERITAGE VALLEY FOREST LEGACY AREA, WINNESHIEK COUNTY**

Travis Baker requested Commission approval for the acquisition of a permanent conservation easement on a tract of land located in northeastern Winneshiek County. The purpose of this conservation easement is to protect environmentally important private forests which are threatened by conversion, and to provide for sustainable management of the working forest. The easement provides for land conservation of the forest land, forest

resources, water quality protection, wildlife habitat, and oak savanna and prairies, all while maintaining the continuity of the forested area.

**Public Comments – None**

**Written Comments – None**

*Motion was made by KR Buck to approve the item as presented. Seconded by Tammi Kircher.*

*The Chairperson asked for the Commissioners for a roll call vote. KR Buck-aye, Tammi Kircher-aye, Laura Foell-nay, Tom Prickett-aye, Marcus Branstad-aye. Motion passes.*

**APPROVED AS PRESENTED**

**WATERMAN PRAIRIE COMPLEX, O'BRIEN COUNTY**

Travis Baker requested Commission approval to purchase a tract of land located in O'Brien County adjacent to Waterman Prairie Complex. This tract offers the opportunity for high quality remnant prairie and oak savanna protection and management. The acquisition will benefit multiple game and non-game wildlife species, while providing public access to hunting and other outdoor recreation opportunities. There was discussion about the acres of cropland to be farmed.

**Public Comments – None**

**Written Comments – None**

*Motion was made by Tammi Kircher to approve the item as presented. Seconded by KR Buck.*

*The Chairperson asked for the Commissioners for a roll call vote. Laura Foell-nay, Uriah Hansen-absent, Tom Prickett-aye, Tammi Kircher-aye, KR Buck-aye, Marcus Branstad-aye. Motion passes.*

**APPROVED AS PRESENTED**

**SWEET MARSH WILDLIFE MANAGEMENT AREA BOAT CHANNEL DREDGING—BREMER COUNTY**

Travis Baker requested Commission approval for a construction project to repair the dikes and dig channels to allow for boat access in the pool at the Sweet Marsh Wildlife Management Area (WMA). The WMA covers over 3,100 acres and consists of marsh, timber, and upland habitat which provides for multi-use outdoor recreation, with a focus on water fowl and angling. The WMA is located approximately four miles northeast of Tripoli.

**Public Comments – None**

**Written Comments – None**

*Motion was made by Laura Foell to approve the item as presented. Seconded by KR Buck.*

*The Chairperson asked for the Commissioners to approve the motion by saying aye. There were no nay votes. Motion passes.*

**APPROVED AS PRESENTED**

**BELLEVUE STATE PARK DYAS UNIT WASTEWATER TREATMENT SYSTEM—JACKSON COUNTY**

Travis Baker requested Commission approval for a construction project at Bellevue State Park. The wastewater treatment facility located at the Dyas unit of Bellevue State Park, will be upgraded as the current lagoon system is out of compliance with its National Pollutant Discharge Elimination System permit's discharge limits. This project will add a new leach field to the existing system. Leach field systems are reliable, do not have moving parts, and need little maintenance to function properly. This option will also eliminate the need for disinfection as leach field is a non-discharging system.

**Public Comments – None**

**Written Comments – None**

*Motion was made by Tammi Kircher to approve the item as presented. Seconded by Laura Foell.*

*The Chairperson asked for the Commissioners to approve the motion by saying aye. There were no nay votes. Motion passes.*



<b>APPROVED AS PRESENTED</b>
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**SAYLORVILLE WILDLIFE MANAGEMENT AREA BOAT RAMP RENOVATION—BOONE COUNTY**

Travis Baker requested Commission approval for a construction project at Saylorville Wildlife Management area. The existing gravel parking lot and concrete plank ramp is in need of repair. The planks are beginning to be displaced and the ramp is not usable. This project will replace the existing ramp with a standard concrete ramp.

The parking lot will receive new granular surfacing for seven parking spaces and concrete for one Americans with Disabilities Act-compliant parking space.

**Public Comments – None**

**Written Comments – None**

<i>Motion was made by KR Buck to approve the item as presented. Seconded by Laura Foell.</i>
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<i>The Chairperson asked for the Commissioners to approve the motion by saying aye. There were no nay votes. Motion passes.</i>
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<b>APPROVED AS PRESENTED</b>
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**BIG CREEK STATE PARK FISHING PIER REPLACEMENT—POLK COUNTY**

Travis Baker requested Commission approval for a construction project at Big Creek State Park. The project will remove the existing pier and replace it with a new steel-framed pier with composite decking. The overall size of the pier will be reduced due to cost, but fishing access will be supplemented by the construction of an Americans with Disabilities Act-compliant paved fishing path that will be located along the shoreline to the north of the pier.

**Public Comments – None**

**Written Comments – None**

<i>Motion was made by Laura Foell to approve the item as presented. Seconded by Tammi Kircher.</i>
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<i>The Chairperson asked for the Commissioners to approve the motion by saying aye. There were no nay votes. Motion passes.</i>
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<b>APPROVED AS PRESENTED</b>
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**CONTRACT WITH JEO CONSULTING GROUP, INC.**

Jeff Goerndt requested Commission approval for assisting 15 Iowa communities with planning and managing their urban tree resources, development of response to the presence of Emerald Ash Borer, and other tree pests and problems. As a part of the project each eastern Iowa community included in the contract will receive an inventory of street and park trees, a visual survey of forest health symptoms, a summary of benefits those trees, and an urban forest management plan.

**Public Comments – None**

**Written Comments – None**

<i>Motion was made by Tammi Kircher to approve the item as presented. Seconded by KR Buck.</i>
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<i>The Chairperson asked for the Commissioners to approve the motion by saying aye. There were no nay votes. Motion passes.</i>
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<b>APPROVED AS PRESENTED</b>
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**GENERAL DISCUSSION**

- During the May meeting, Commissioner Foell had a question about the Commissioner's individual notes and/or questions. General Counsel Tamara McIntosh followed up at today's meeting and explained that their individual packets are considered to be transitory records under the DNR's retention policy. This is because the meeting's audio recording coupled with the agenda briefs and minutes are, collectively, the official record of the meeting. Therefore, each packet can be recycled after the meeting.

**ADJOURN**

*The Chairperson adjourned the Natural Resource Commission meeting at 11:12am on June 8, 2023.*

**ADJOURNED**

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

**Decision Item**

**5. Donations**

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

<b>Donation to:</b>	<b>Amount</b>	<b>Description</b>	<b>Donation Provided by:</b>
Fish and Wildlife Trust Fund	\$50.00	Donation to support the Fish and Wildlife programs in dedication of Dean Umphrey	Kirk Strang
Fish and Wildlife Trust Fund	\$100.00	Donation to support the Fish and Wildlife programs in dedication of Steve Stotts	Dan Burkey
Wildlife Diversity Program	\$50.00	Donation to support the Wildlife Diversity programs in dedication of Jeannie Kuster	Marla Matthews
Fish and Wildlife Trust Fund	\$250.00	Donation to support the Fish and Wildlife programs in dedication of Steve Stotts	Jeffrey Giese
Bellevue State Park	\$2,000.00	Hand painted educational displays	Sue Sawvel, Bellevue Rotary Club
Wildlife Diversity Program	\$964.31	Antennas, coax cable, lightning arrestors and radio dongle for Motus wildlife telemetry station	Doug Harr
Wildcat Den State Park	\$500.00	Telephone poles for parking barriers	Chuck Hermann
Wildlife Diversity Program	\$75.00	Donation to support the conservation of non-game species	Sharon Polifka
Fish and Wildlife Trust Fund	\$50.00	Donation to support the Fish and Wildlife programs in memory of Clyde Seago	Kathy & Donald Brees
Fairport Fish Hatchery	\$50.13	Menards Rebate Check	Sandy Stevens, Fairport Fish Hatchery Friends Group
Swan Refuge	\$5,000.00	Improvement projects	Anonymous
Ledges State Park	\$1,013.22	Interpretive supplies, including: birdsong identifiers and 360-degree camera	Friends of the Ledges
Ledges State Park	\$389.20	6' recycled plastic memorial bench	Jill & Ed Higgins
Maquoketa Caves State Park	\$3,800.00	An industrial copier for printing park maps and flyers	Sandra Gerlach, Maquoketa Caves Friends Group

Pete Hildreth, Division Administrator  
Conservation and Recreation Division  
NRC Meeting Date: July 13, 2023

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

**Decision Item** (*\*indicates proposed consent item*)

**\*6. Contract Amendment- 1** with TriEst Ag Group, Inc.

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Commission approval is requested for a service contract amendment with TriEst Ag Group, Inc., of Greenville, NC.

**Amendment--1**

**Terms:**

**Amendment Amount:** \$ 40,000

**Amendment Dates:** August 1, 2023 to September 30, 2024

**Funding Source(s):** Nursery Seedling Sales.

**Amendment Purpose:** To provide the same soil fumigation service at the State Forest Nursery as the previous year. TriEst Ag Group will fumigate up to 6 acres of Nursery fields. Soil fumigation is a management technique that is widely used in the nursery industry to eliminate soil pathogens and weed infestations prior to planting nursery crops.

**Original Contract Purpose:** The purpose of this contract is for the contractor to provide soil fumigation services to the Iowa DNR State Forest Nursery to aid in growing quality tree seedlings. The contractor will perform soil fumigation using methyl bromide and chloropicrin products according to Federal and State Law. The rate to be applied is 325lb/acre at an injection depth of 10 inches using 67% methyl bromide and 33% chloropicrin. Contractor shall cover the fields using a totally impervious film. Soil fumigation helps reduce management costs during the growing season. Soil fumigation helps reduce the amount of pesticides applied and associated labor costs of spraying and pulling weeds.

**Original Selection Process:** In 2022, the DNR issued an RFQ and reviewed bids for services requested. TriEst Ag Group, Inc. was selected based on their ability to meet the needs of the State Forest Nursery. The Department solicited proposals from targeted small businesses and also published a request of quote (RFQ) on the Department of Administrative Services website.

**Contract History:**

**Original Contract Terms:** Amount \$ 24,999; Timeframe: August 1, 2022 to September 30, 2023

Jeff Goerndt, State Forester  
Conservation and Recreation Division  
NRC Meeting Date: July 13, 2023

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

**Decision Item** (*\*indicates proposed consent item*)

**\*7. Contract Amendment-1 with Forum Communications Company**

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Commission approval is requested for a service contract amendment with Forum Communications Company, of Detroit Lakes, MN.

**Amendment—1 Terms:**

**Amendment Amount:** \$ 22,044.94

**Amendment Dates:** 09/01/2023 to 08/31/2024

**Funding Source(s):** Fish and Wildlife Trust Fund

**Amendment Purpose:** One year extension to print and distribute the 2024 Iowa Fishing Regulations booklet.

**Original Contract Purpose:** Print 175,000 copies of the annual Iowa Fishing Regulations booklet and distribute it to approximately 800 locations (i.e. license sales vendors, natural resource agencies, and DNR locations). The DNR will provide the copy and artwork as well as the mailing list and quantities needed per address. The contractor will prepare a pre-press copy for DNR review and approval, print and package saddle stitch booklets, and ship the quantities designated to the identified locations.

**Original Selection Process:** In 2022, the DNR published a Request for Proposal and reviewed bids for services requested. Forum Communications Company was awarded the bid due to their ability to meet the printing and distribution requirements as well as being cost effective.

**Contract History:**

**Original Contract Terms:** Amount \$21,507.96; Timeframe: 9/1/2022-8/31/2023; Purpose: print and distribute Iowa Fishing Regulations

Joe Larscheid, Fisheries Bureau Chief  
Conservation and Recreation Division  
NRC Meeting Date: July 13, 2023

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

**Information Item**

**8. Brass Bluegill Award and Special Recognition - 2023**

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Jason Ohrt, South Winneshiek Schools, and Shane Blake, Davis County Schools, are recipients of the 2023 Brass Bluegill award from the Iowa Department of Natural Resources *Fish Iowa!* program.

Ohrt has been involved with Fish Iowa! for more than 15 years. As an avid angler, he shares his own love of fishing and helps students build lifelong skills that improve their health and wellness. Ohrt's principal shares that, "Mr. Ohrt teaches the right way for youth to interact with our environment while providing unique opportunities that not all students would have access to outside of school."

Blake got involved in teaching outdoor skills to connect students with the outdoors and build community in 2021. He shares that he teaches the concepts of Fish Iowa! "to address the mental, physical, and social side of student health." Blake uses Fish Iowa! to teach lessons of humility, passion, unity, servanthood, thankfulness, and accountability in his Outdoor Physical Education program. He adds, "It has helped strengthen my love of teaching, and the outcomes [of the program] have been so powerful in helping Davis County students develop healthier habits"

In areas of the state with ample opportunity for outdoor recreation, Ohrt and Blake both note that their programs often provide introductory experiences for students. Ohrt shares, "We also have several students who only get exposed to these types of activities through my class/unit." Blake says he has noticed a "broken bond between our youth and nature," which was a driving force for developing his outdoor class. Connecting youth with their local natural resources is a core value for both efforts.

Both recipients have built strong support for fishing, and outdoor education overall, in their schools and their communities. They work with local agencies, organizations and businesses to access equipment, local resources, and funds for supplies. They also share that other educators and their school administrators support their programs, which is critical to sustain such efforts.

Ohrt and Blake will receive plaques honoring their accomplishments and a set of fishing poles to use with their *Fish Iowa!* programs

The Brass Bluegill award has been presented each year since 1996 to Fish Iowa! educators with outstanding local programs that exemplify the goals of the *Fish Iowa!* Angler Education program.

Tammie Krausman, Communications, Bureau Chief  
Communications, Outreach and Marketing Bureau  
NRC Meeting Date: July 13, 2023

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

**Decision Item**

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

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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 March 9, 2023.

This rulemaking adopts three amendments to Chapter 106. First, two counties are added and two counties are removed from the list of counties available for general deer licenses.

Second, Lucas county is added to the list of counties eligible to participate in the Population Management January antlerless-deer-only season.

Third, antlerless-deer-only county quotas are modified to increase harvest in southern Iowa where the wild herd is above population goals, and also in northcentral Iowa, where wild herds have recovered to a level that can sustain additional antlerless harvest. Conversely, quotas are modified in far western Iowa to decrease harvest where populations are below goals and hunter effort is waning.

The Notice of Intended Action was published in the Iowa Administrative Bulletin on April 5, 2023 as ARC 6977C. A public hearing was held on April 25, 2023. No public comments were received.

**Changes from NOIA:** None

**Effective Date of Final Rule:** effective upon filing on July 21, 2023 consistent with Iowa Code section 17A.5(2)“b”(1)(b)

Todd Bishop, Chief, Wildlife Bureau  
Conservation and Recreation Division  
NRC Meeting Date: July 13, 2023

**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 rule making adopts three amendments to Chapter 106. First, two counties are added and two counties are removed from the list of counties available for general deer licenses.

Second, Lucas County is added to the list of counties eligible to participate in the population management January antlerless-deer-only season.

Third, antlerless-deer-only county quotas are modified to increase harvest in southern Iowa, where the wild herd is above population goals, and also in north central Iowa, where wild herds have recovered to a level that can sustain additional antlerless harvest. Conversely, quotas



are modified in far western Iowa to decrease harvest where populations are below goals and hunter effort is waning.

#### *Public Comment and Changes to Rule Making*

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on April 5, 2023, as **ARC 6977C**.

A public hearing was held on April 25, 2023, at 12 noon via video/conference call.

No one attended the public hearing and no public comments were received.

No changes have been made from the Notice of Intended Action.

#### *Adoption of Rule Making*

This rule making was adopted by the Commission on July 13, 2023.

#### *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.

#### *Review by Administrative Rules Review Committee*

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

#### *Effective Date*

This rule making will become effective upon filing on July 21, 2023 consistent with Iowa Code section 17A.5(2)"b"(1)(b). By making quota changes that create more and different deer hunting opportunities. this rulemaking confers benefit and removes a restriction on sportsmen and women hunting in this state.

The following rule-making action is adopted:

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

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

ITEM 2. Amend paragraph **106.1(6)"a"** 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, Lucas, 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.

ITEM 3. Amend subrule 106.6(6) as follows:

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

County	Quota	County	Quota	County	Quota
Adair	1200	Floyd	150	Monona	<del>500</del> <u>250</u>
Adams	1000	Franklin	<del>0</del> <u>100</u>	Monroe	2500
Allamakee	3800	Fremont	0	Montgomery	<del>500</del> <u>300</u>
Appanoose	<del>2700</del> <u>2800</u>	Greene	100	Muscatine	900
Audubon	0	Grundy	0	O'Brien	0
Benton	325	Guthrie	2350	Osceola	0
Black Hawk	0	Hamilton	<del>0</del> <u>100</u>	Page	<del>300</del> <u>150</u>
Boone	<del>400</del> <u>500</u>	Hancock	<del>0</del> <u>100</u>	Palo Alto	0
Bremer	300	Hardin	<del>0</del> <u>100</u>	Plymouth	0
Buchanan	400	Harrison	<del>500</del> <u>250</u>	Pocahontas	0
Buena Vista	0	Henry	1050	Polk	1350
Butler	200	Howard	450	Pottawattamie	<del>500</del> <u>250</u>
Calhoun	0	Humboldt	0	Poweshiek	200
Carroll	0	Ida	0	Ringgold	1600
Cass	<del>300</del> <u>200</u>	Iowa	450	Sac	0
Cedar	775	Jackson	1100	Scott	200
Cerro Gordo	<del>0</del> <u>100</u>	Jasper	400	Shelby	0
Cherokee	0	Jefferson	1500	Sioux	0
Chickasaw	375	Johnson	950	Story	150
Clarke	2400	Jones	1100	Tama	300
Clay	0	Keokuk	500	Taylor	1500
Clayton	4000	Kossuth	0	Union	1400
Clinton	400	Lee	<del>1700</del> <u>1800</u>	Van Buren	<del>2300</del> <u>2400</u>
Crawford	0	Linn	850	Wapello	1600
Dallas	<del>2100</del> <u>1900</u>	Louisa	775	Warren	3000
Davis	<del>1900</del> <u>2000</u>	Lucas	2500	Washington	<del>1000</del> <u>1200</u>
Decatur	<del>2400</del> <u>2500</u>	Lyon	0	Wayne	2700
Delaware	<del>950</del> <u>1100</u>	Madison	3300	Webster	<del>0</del> <u>100</u>
Des Moines	<del>900</del> <u>1000</u>	Mahaska	475	Winnebago	0
Dickinson	0	Marion	2050	Winneshiek	2700
Dubuque	1200	Marshall	150	Woodbury	0

County	Quota	County	Quota	County	Quota
Emmet	0	Mills	<del>150</del> <u>0</u>	Worth	0
Fayette	2500	Mitchell	100	Wright	<del>0</del> <u>100</u>

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

**Decision Item** (*\* indicates proposed consent item*)

**\*10. Public Land Management Projects**

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**10.1 Chapter 18 Lease Renewal – Mississippi River – Clayton County**

The Natural Resource Commission is requested to approve the renewal of Chapter 18 lease 14-R with Viserion Grain, LLC.

**Location:** A portion of the bed of the Mississippi River bed approximately 1,500 feet in frontage and up to approximately 200 feet in depth located at River Mile 633.3 in Section 27, Township 95N, Range 3W, in the 5<sup>th</sup> P.M., Clayton County, Iowa.

**Site Purpose:** The site is used to facilitate the unload barges of whole grain.

**Lease History:** The location has been under a lease since 1976.

**Lease Fee and Term:** The annual fee is \$15,736.00 with a condition that the fee may be adjusted to comply with adopted administrative rule changes that affect lease fees. The term of the lease will be five years.

**10.2 Chapter 18 lease – Muscatine County – River Trading Company LTD**

The Natural Resource Commission is requested to approve the renewal of Chapter 18 lease 109-R with River Trading Company LTD.

**Location:** The lease area consists of a portion of the riverbed, approximately 500 feet of river frontage by 100 feet of depth, totaling approximately 50,000 square feet, located at River Mile 451, Muscatine County, Iowa.

**Site Purpose:** The site is used as a commercial barge loading and unloading terminal.

**Lease History:** The location has been under lease since 2001.

**Lease Fee and Term:** The annual fee is \$3,000.00 with a condition that the fee may be adjusted to comply with adopted administrative rule changes that affect lease fees. The term of the lease will be five years.

**10.3 Chapter 18 lease – Clayton County – Robert and Shelly Amen**

The Natural Resource Commission is requested to approve the renewal of Chapter 18 lease 123-R with Robert and Shelly Amen.

**Location:** A portion of Lot 12 in Block 36 of James McGregor Jr's Addition in Section 27, Township 95 North, Range 3 West of the 5<sup>th</sup> P.M., Clayton County, Iowa.

**Site Purpose:** The lease covers a 12 x 60 drive way, railroad tie retaining wall, portion of the house and deck and a 500 gallon LP tank.

**Lease History:** The location has been under lease since 2012. The original lessees sold the property to Mr. and Mrs. Amen. No changes to the residence have been made.

**Lease Fee and Term:** The annual fee is \$300 with a condition that the fee may be adjusted to comply with adopted administrative rule changes that affect lease fees. The term of the lease will be five years.

Travis Baker, Land & Waters Bureau Chief  
Conservation and Recreation Division  
NRC Meeting Date: July 13, 2023

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

**Information Item**

**11. Construction - Small Projects**

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

<b>Bid Date</b>	<b>Project No.</b>	<b>Location</b>	<b>County</b>	<b>Summary</b>	<b>Cost Estimate</b>	<b>Bids</b>
5/25/23	23-06-52-01	Lake McBride State Park	Johnson	This project will replace all wood decking, railings, some concrete work for the 25+ year old fishing pier.	\$25,000	\$29,794.23

Travis Baker, Land and Waters Bureau Chief  
Conservation and Recreation Division  
NRC Meeting Date: July 13, 2023

Iowa Department of Natural Resources  
Natural Resource Commission

Decision Item

12. Construction – Large Projects

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12.1 Stone State Park, Pavement Maintenance - Woodbury County

The Department requests Commission approval of the following construction project:

**Project Summary:** Stone State Park is located in the northwest corner of Sioux City. The property was acquired by the State in 1935. Park amenities include two CCC shelters, CCC residences, a campground, hiking trails, and snowmobile trails.

The roads were paved in the 90's and are showing some deterioration and the need for maintenance. This project consists of approximately 4.3 miles of HMA pavement preservation and maintenance by patching and seal coating the asphalt roads and placing approximately 242 tons of crushed rock surfacing on access roads.

**Engineering Project #:** 22-01-97-01

**Cost Estimate:** \$708,000

**Operating Bureau:** Parks

**Funding Source:** 99% Park and Intuition Roads Fund, 1% Parks Infrastructure

**Bid Letting Date:** 06/15/2023

**Construction Completion Date:** 11/1/2023

**Number of Bids Received:** 1

**Bidders**

Knife River Midwest, LLC

Sioux City, IA

\$551,383.65



Upon Engineering's review of bids, DNR recommends awarding the contract to Knife River Midwest, LLC.

Travis Baker, Land & Waters Bureau Chief  
Conservation and Recreation Division  
NRC Meeting Date: July 13, 2023