

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

**NRC TELECONFERENCE Business Meeting – Thursday, May 12, 2022**

<b>TELECONFERENCE Meeting Convenes at 9:30am</b>			
<b>To attend the teleconference meeting, join via</b>			
Video Link: <a href="https://meet.google.com/sco-mbns-qva">https://meet.google.com/sco-mbns-qva</a>			
or			
Telephone: call 442-242-3609 PIN: 883 789 392#			
<b>Public Participation begins at approximately 10:00 am</b>			
1.	Approval of Agenda Consent Agenda ( <i>*within agenda indicates proposed consent agenda item</i> ) *7. Timber Sale Contract with Bruggeman Lumber, Inc. – Fayette County (Volga State Recreation Area) *8. Timber Sale Contract with John Flanagan – Fayette County (Volga State Recreation Area) *12. Publicly Owned Lakes Program Watershed Eligibility – FY23	Decision	Commission
2.	Annual Election of Natural Resource Commission Officers	Decision	Commission
3.	Approve Minutes of 04/14/22 NRC Public Meeting	Decision	Commission
4.	Director’s Remarks	Information	Kayla Lyon
5.	Division Administrator’s Remarks	Information	Pete Hildreth
6.	Donations	Decision	Pete Hildreth
*7.	Timber Sale Contract with Bruggeman Lumber, Inc. – Fayette County (Volga State Recreation Area)	Decision	Jeff Goerndt
*8.	Timber Sale Contract with John Flanagan – Fayette County (Volga State Recreation Area)	Decision	Jeff Goerndt
9.	Contract Amendment-3 with Liberty Press, LLC	Decision	Todd Bishop
10.	Chapter 52, “Wildlife Refuges”, Chapter 91, “Waterfowl and Coot Hunting Seasons”, and Chapter 92, “Migratory Game Birds” – Final Rule	Decision	Todd Bishop
11.	Chapter 94, “Nonresident Deer Hunting,” and Chapter 106, “Deer Hunting by Residents” – Final Rule	Decision	Todd Bishop
*12.	Publicly Owned Lakes Program Watershed Eligibility – FY23	Decision	Travis Baker
13.	Contract with Black Hawk County Conservation Board (Casey Lake)	Decision	Travis Baker
14.	Contract with Shive-Hattery (Green Valley Lake)	Decision	Travis Baker
15.	Construction – Small Projects	Information	Travis Baker
16.	Construction – Large Projects		
16.1	Nine Eagles State Park, Pavement Preservation – Decatur County	Decision	Travis Baker
16.2	Hawkeye Wildlife Unit, North road and Babcock Access Road Maintenance-Johnson County	Decision	Travis Baker
16.3	Green Valley State Park, Campground Pavement Maintenance – Union County	Decision	Travis Baker
16.4	Rathbun Fish Hatchery, Inlet Supply Tee Replacement – Appanoose County	Decision	Travis Baker
17.	General Discussion <ul style="list-style-type: none"> <li>• NRC Discussion of Administrative Law Judge Case(s)</li> <li>• June 2022 Meeting and Field Tour</li> </ul>		
<b>Upcoming NRC Meeting Dates</b>			
<ul style="list-style-type: none"> <li>• Wed, 06/08/22, 12:00pm, Business Meeting (Black Hawk County)</li> <li>• Thu, 06/09/22, 9:00am, Field Tour (Black Hawk County)</li> <li>• Wed, 07/13/22, 9:00am, Business Meeting; Joint Meeting; Field Tour (IA DNR State Forest Nursery, Ames, IA)</li> <li>• Thu, 08/11/22, 9:30am, Business Meeting (Polk County)</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.

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

**Decision Item**

**6. Donations**

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

Donation to:	Amount	Description	Donation Provided by:
Pine Lake State Park	\$2,531.00	Two Yakport kayak launches and accessories.	Friends of Pine Lake State Park
Ledges State Park	\$370.38	Parts and labor to tune up and fix the Park's Cannondale bicycle used for patrolling and routine Park duties.	Dave Johnson, Trailside Rentals Bike Shop
Union Grove State Park	\$80.00	Funds to support Union Grove State Park	Quad Cities Women's Outdoor Club
Lacey-Keosauqua State Park	\$150.00	Cabin Deposit given to the DNR as a donation	Paige Thorson
Wildlife Diversity Program	\$350.00	Funds to support the conservation of non-game species	Jane and William Overland
Parks and Forestry (Red Haw State Park)	\$200.00	Funds to support Parks and Forestry in memory of Keith E. Allen (Former Park Ranger at Bob White State Park) to support the work at Red Haw State Park.	Michelle Tull
Fish and Wildlife Trust Fund	\$100.00	Funds to support the Fish and Wildlife Trust Fund in memory of Michael Kent Griffin	Amanda Schmidt
Fish and Wildlife Trust Fund	\$250.00	Funds to support the Fish and Wildlife Trust Fund in memory of Robert Rentz	Christy Doornink
Parks and Forestry	\$50.00	Funds to support Parks and Forestry in honor of Annie Fangman, lover of the outdoors.	Stephanie Fangman
Fish and Wildlife Trust Fund	\$200.00	Funds to support the Fish and Wildlife Trust Fund in memory of Doris Miller.	Camille Hogan
Pleasant Creek State Park	\$131,755.96	Funds to be used for the benefit of Pleasant Creek State Park.	Estate of Violet Moravek
Fish and Wildlife Trust Fund	\$50.00	Funds to the Fish and Wildlife Trust Fund to support the Willie J. Suchy Wildlife Management Area.	Emily Clarkson
Wildlife Diversity Program	\$100.00	Funds to support wildlife diversity in honor of Doris Trow, who instilled in her family and students an interest and love of birds.	Lyle Trow
Parks and Forestry	\$50.00	Funds to support Parks and Forestry in memory of Darlene Hansen	Karen Hansen
Parks and Forestry	\$20.00	Funds to support Parks and Forestry in memory of Darlene Hansen	Russell Konecny
Parks and Forestry, Manawa State Park	\$315.00	Funds to support Parks and Forestry in memory of Darlene Hansen and her love for camping.	Mark and Tori Hansen
Parks and Forestry	\$50.00	Funds to support Parks and Forestry in memory of Darlene Hansen	Kristie Peterson
Parks and Forestry	\$100.00	Funds to support Parks and Forestry in memory of Darlene Hansen	Chastain Insurance Co
Fish and Wildlife Trust Fund	\$30.00	Funds to the Fish and Wildlife Trust Fund in memory of Wilfred Suchy to support the Willie J. Suchy Wildlife Management Area.	Eric and Erin Johnson

Pete Hildreth, Division Administrator  
Conservation and Recreation Division  
NRC Meeting Date: 05/12/22

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

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

**\*7. Timber Sale Contract with Bruggeman Lumber, Inc. – Fayette County (Volga State Recreation Area)**

Commission approval is requested for a timber sale contract with Bruggeman Lumber, Inc. for Volga State Recreation Area.

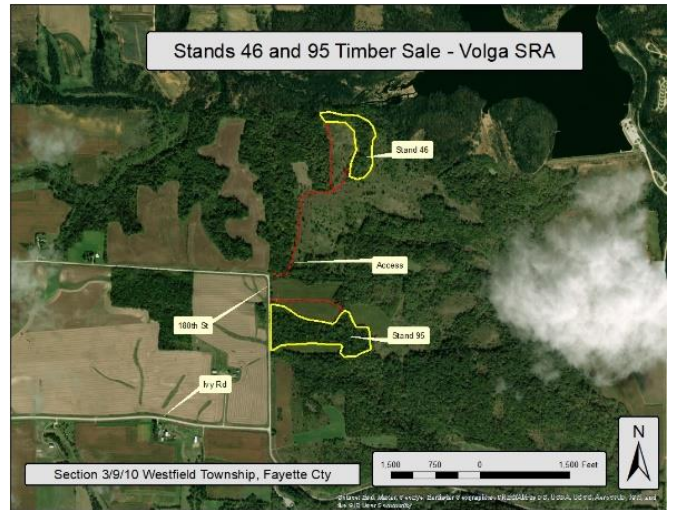
**Contract Terms**

**Income:** \$25,605.00

**Dates:** 5/12/22 to 5/12/24

**Fund Deposited to:** Fish and Wildlife Trust Fund

**Contract Purpose:** This contract will facilitate a hardwood timber harvest of an estimated 87,366 board feet in 656 mixed hardwood trees at Volga State Recreation Area in Fayette County. An even-aged management system will be used to conduct a harvest in accordance with the Volga State Recreation Area Forest Stewardship Plan to allow sunlight to stimulate the growth of oak seedlings already present on the site as well as oak and walnut seedlings that were planted last year. A natural areas inventory was conducted and there are no known threatened and endangered species in the harvest area. Harvesting and regenerating this stand will improve the overall health and vigor of the forest.



Wildlife den trees will be left standing. Iowa Forestry Best Management Practices will apply to the site. No tops or harvesting residue will be left in adjacent waterways. Harvesting is to occur only when ground is firm or frozen to minimize soil disturbance. Skid trails and landing areas will be repaired following the harvest. No skid trails will be allowed in the Stream Management Areas (within 50 feet of the adjacent waterway) except at designated stream crossings.

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

**Date bids received:** 4/01/22

**Number of Bids Received:** 3

**Recommendation:** Bruggeman Lumber, Inc.

Bidder	City, State	Amount of Bid
Bruggeman Lumber, Inc.	Masonville, IA	\$25,605.00
Dan Jones	Waterville, IA	\$25,070.00
Jones Wood Heating and Logging	McGregor, IA	\$24,157.00

Jeff Goerndt, State Forester  
Conservation and Recreation Division  
NRC Meeting Date: May 12, 2022

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

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

**\*8. Timber Sale Contract with John Flanagan – Fayette County (Volga State Recreation Area)**

Commission approval is requested for a timber sale contract with John Flanagan for Volga State Recreation Area.

**Contract Terms**

**Income:** \$140,700.00

**Dates:** 5/12/22 to 5/12/24

**Fund Deposited to:** Fish and Wildlife Trust Fund

**Contract Purpose:** This contract will facilitate a hardwood timber harvest of an estimated 287,439 board feet in 1,246 mixed hardwood trees at Volga State Recreation Area in Fayette County. An even-aged management system will be used to conduct a harvest in accordance with the Volga State Recreation Area Forest Stewardship Plan to allow sunlight to stimulate the growth of oak seedlings already present on the site as well as oak and walnut seedlings that were planted last year. A natural areas inventory was conducted and there are no known threatened and endangered species in the harvest area. Harvesting and regenerating this stand will improve the overall health and vigor of the forest.



Wildlife den trees will be left standing. Iowa Forestry Best Management Practices will apply to the site. No tops or harvesting residue will be left in adjacent waterways. Harvesting is to occur only when ground is firm or frozen to minimize soil disturbance. Skid trails and landing areas will be repaired following the harvest. No skid trails will be allowed in the Stream Management Areas (within 50 feet of the adjacent waterway) except at designated stream crossings.

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

**Date bids received:** 4/01/22

**Number of Bids Received:** 6

**Recommendation:** John Flanagan

Bidder	City, State	Amount of Bid
John Flanagan	Coggon, IA	\$140,700.00
Jones Wood Heating and Logging	McGregor, IA	\$131,516.00
Kendrick, Inc.	Edgewood, IA	\$125,900.00
Ben Bruggeman	Monticello, IA	\$115,340.00
Bruggeman Lumber, Inc.	Masonville, IA	\$112,000.00
Dan Jones	Waverly, IA	\$108,480.00

Jeff Goerndt, State Forester  
Conservation and Recreation Division  
NRC Meeting Date: May 12, 2022

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

**Decision Item**

**9. Contract Amendment-3 with Liberty Press, LLC**

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Commission approval is requested for a service contract amendment with Liberty Press, LLC, of Springville, Utah.

**Amendment-3 Terms:**

**Amendment Amount:** not to exceed \$36,480

**Amendment Dates:** May 30, 2022 to May 29, 2023

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

**Amendment Purpose:** To print and distribute 125,000 copies of the 2022-2023 Iowa Hunting, Trapping, and Migratory Game Bird Regulations to over 800 vendors, businesses, government agencies, and DNR offices in and around Iowa for the public's use. This amendment will provide the same services as previously contracted. Increase in cost has been seen industry-wide as the price of wood pulp has increased significantly since 2020, and those costs are being passed along by the papermakers and the printing industry.

**Original Contract Purpose:** In 2019, The Iowa DNR selected Liberty Press LLC to print and distribute copies of the 2019-2020 Iowa Hunting, Trapping and Migratory Game Bird Regulations to vendors, businesses, government agencies, and DNR offices in and around Iowa. The Department produces this rules and regulations booklet annually. The 2019 printing was the third year the DNR combined the waterfowl regulations into the Hunting and Trapping regulations book which coordinates with federal waterfowl information and provides cost and time savings in printing and distribution. Positive comments have been received by users regarding the convenience of having the information in one publication.

As outlined in standards, all paper types contain post-consumer waste and are recyclable. Liberty Press LLC has provided a quality product using 30# Supercalendar SCB Grade paper. This grade of paper was used for the 2018 regulations and users provided positive comments on its quality and durability, especially with the longer time hunters and trappers can use the combined publication (August – May). Also, this type of paper grade is more attractive to advertisers purchasing ad space in the publication. For printing, the DNR will provide the print copy and shipment list with quantity per location to the contractor. The contractor will provide a print proof for approval prior to production printing, make any revisions, print 175,000 copies, and pack and distribute cartons per the shipment list. (In 2021, the print quantity was reduced to 150,000 copies due to fewer regulations being picked up by the hunters as more are downloading the electronic version to their phones and computers. It was reduced again in 2022 to 125,000 copies.)

**Original Selection Process:** The Department solicited proposals from targeted small businesses and published a Request for Proposal (RFP) on the Department of Administrative Services website. Proposals were reviewed based on the criteria as described in the RFP which included their ability to complete the scope of work within the desired timeline, quality of product, and description of previous and applicable work experience.

**Contract History:**

**Original Contract Terms:** Not to exceed \$31,100; Timeframe: 05/30/19-05/29/20; Purpose: print/ distribute 175,000 regulations booklets

**Amendment-1:** Not to exceed \$31,100; Timeframe: 05/30/20-05/29/21; Purpose: print/ distribute 175,000 regulations booklets

**Amendment-2:** Not to exceed \$27,600; Timeframe: 05/30/21-05/29/22; Purpose: print/distribute 150,000 regulations booklets

Todd Bishop, Wildlife Chief  
Conservation and Recreation Division  
NRC Meeting Date: May 12, 2022

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

**Decision Item**

**10. Chapter 52, “Wildlife Refuges”, Chapter 91, “Waterfowl and Coot Hunting Seasons”, and Chapter 92, “Migratory Game Birds” – Final Rule**

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The Commission is requested to adopt a Final rule to amend Chapter 52, “Wildlife Refuges”, Chapter 91, “Waterfowl and Coot Hunting Seasons”, and Chapter 92, “Migratory Game Birds.”

**Chapter 52, Wildlife Refuges:**

**Basic Intent of Current Rule:** Chapter 52 contains regulations for wildlife refuges.

**NOIA Process:** The Notice of Intended Action was approved by the NRC on January 19, 2022. The amendment reclassifies the wildlife refuge on the Hawkeye Wildlife Area as a waterfowl refuge. Reclassifying the refuge as a waterfowl refuge will streamline public access. It will also reduce the staff time required to annually post the current wildlife refuge.

The Notice of Intended Action was published in the Iowa Administrative Bulletin on March 23, 2022, as ARC 6260C. A public hearing was held on April 12, 2022, at 11 a.m. via conference call. No one attended the conference call and no comments were received relevant to Chapter 52.

**Changes from NOIA:** None

**Effective Date of Final Rule:** July 20, 2022

**Chapter 91, Waterfowl and Coot Hunting Seasons:**

**Basic Intent of Current Rule:** Chapter 91 contains regulations for waterfowl and coot hunting seasons.

**NOIA Process:** The Notice of Intended Action was approved by the NRC on January 19, 2022. The amendments remove outdated language pertaining to waterfowl hunting zone boundaries and season dates. The proposed amendments also adjust the daily bag limit for Canada geese, re-organize and rename the Special September Canada Goose Season, and adjust the boundaries of the Des Moines Metropolitan Goose Hunting Area. Finally, the proposed amendments adjust areas closed to Canada goose hunting by rescinding regulations at four areas and reducing the boundary of six areas.

The Notice of Intended Action was published in the Iowa Administrative Bulletin on March 23, 2022, as ARC 6260C. A public hearing was held on April 12, 2022, at 11 a.m. via conference call. No one attended the conference call. Three comments were received from the public. Two requested elimination of or changes to areas closed to Canada goose hunting and one requested later Canada goose hunting season dates.

As noted in the NOIA, areas closed to Canada goose hunting are being reduced or eliminated in this rulemaking, and Canada goose hunting seasons were moved later in 2021.

**Changes from NOIA:** None

**Effective Date of Final Rule:** July 20, 2022

**Chapter 92, Migratory Game Birds:**

**Basic Intent of Current Rule:** Chapter 92 contains additional regulations for the taking of Migratory Game Birds.

**NOIA Process:** The Notice of Intended Action was approved by the NRC on January 19, 2022. The amendment makes minor adjustments to the description of light goose hunting regulations to ensure they are consistent with the Light Goose Conservation Order authorized by the U.S. Fish and Wildlife Service.

The Notice of Intended Action was published in the Iowa Administrative Bulletin on March 23, 2022, as ARC 6260C. A public hearing was held on April 12, 2022, at 11 a.m. via conference call. No one attended the conference call and no comments were received relevant to Chapter 92.

**Changes from NOIA:** None

**Effective Date of Final Rule:** July 20, 2022

Todd Bishop, Wildlife Bureau Chief  
Conservation and Recreation Division  
NRC Meeting Date: May 12, 2022

**Attachment:** Chapter 52, "Wildlife Refuges", Chapter 91, "Waterfowl and Coot Hunting Seasons", and Chapter 92, "Migratory Game Birds" - Final Rule

### **NATURAL RESOURCE COMMISSION[571]**

#### **Adopted and Filed**

The Natural Resource Commission (Commission) hereby amends Chapter 52, "Wildlife Refuges," Chapter 91, "Waterfowl and Coot Hunting Seasons," and Chapter 92, "Migratory Game Birds," 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.38, 481A.39 and 481A.48.

#### *State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code section 481A.48

#### *Purpose and Summary*

This rule making amends three chapters governing waterfowl hunting.

Chapter 52 contains regulations designating wildlife refuges. The amendment to that chapter reclassifies the wildlife refuge on the Hawkeye Wildlife Area as a waterfowl refuge.

Chapter 91 contains regulations for hunting waterfowl and coot and includes season dates, bag limits, possession limits, shooting hours, and areas open to hunting. The amendments to that chapter remove expired zone boundary descriptions, rename and streamline special goose hunting regulations in metropolitan areas, expand the boundaries of the Des Moines metropolitan goose hunting zone, and adjust several areas closed to goose hunting.

Chapter 92 contains regulations for hunting migratory game birds. The amendment to that chapter makes minor adjustments to the description of light goose hunting regulations to ensure the regulations are consistent with the Light Goose Conservation Order authorized by the U.S. Fish and Wildlife Service.

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

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on March 23, 2022, as **ARC 6260C**.

A public hearing was held on April 12, 2022, at 11 a.m. via conference call. No one attended the hearing.

Three comments were received from the public. Two requested elimination of or changes to areas closed to Canada goose hunting and one requested later Canada goose hunting season dates.

No changes were made from the Notice of Intended Action. Areas closed to Canada goose hunting are being reduced or eliminated in this rule making and Canada goose hunting seasons were moved later in 2021. It will take several years to determine the impacts these changes have on goose populations and hunter satisfaction.

#### *Adoption of Rule Making*

This rule making was adopted by the Commission on May 12, 2022.

#### *Fiscal Impact*

This rule making has no fiscal impact to the state of Iowa.

#### *Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found.

#### *Waivers*

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 July 20, 2022.

The following rule-making action is adopted:

ITEM 1. Amend subrules 52.1(2) and 52.1(3) as follows:

**52.1(2) Wildlife refuges.** The following areas under the jurisdiction of the department of natural resources are established as wildlife refuges where posted. It shall be unlawful to hunt, pursue, kill, trap, or take any wild animal, bird, or game on these areas at any time, and no one shall carry firearms thereon, except where and when specifically authorized by the department of natural resources. It shall also be unlawful to trespass in any manner on the following areas, where posted, during the dates posted, both dates inclusive, except that department personnel, law enforcement officials, and other persons specifically authorized by the department of natural resources may enter the area at any time in performance of their duties, and hunters, under the supervision of department staff, may enter the area when specifically authorized by the department of natural resources.

<u>Area</u>	<u>County</u>
South Twin Lake.....	Calhoun
Ventura Marsh.....	Cerro Gordo
Allen Green Refuge.....	Des Moines
Henderson .....	Dickinson
Ingham Lake.....	Emmet
Crystal Hills .....	Hancock
<del>Hawkeye Wildlife Area .....</del>	<del>Johnson</del>
Colyn Area .....	Lucas
Gladys Black Eagle Refuge .....	Marion
Five Island Lake.....	Palo Alto
Polk City Refuge.....	Polk
Smith Area .....	Pottawattamie
Green Valley Lake .....	Union

**52.1(3) Waterfowl refuges.** The following areas under the jurisdiction of the department of natural resources are established as waterfowl refuges where posted. It shall be unlawful to hunt ducks and geese on the following areas, where posted, at any time during the year. It shall be unlawful to trespass in any manner on the following areas, where posted, during the dates posted, both dates inclusive, except that department personnel, law enforcement officials, and other persons specifically authorized by the department of natural resources may enter the area at any time in performance of their duties, and hunters, under the supervision of department staff, may enter the area when specifically authorized by the department of natural resources.

<u>Area</u>	<u>County</u>
Lake Icaria.....	Adams
Pool Slough Wildlife Area .....	Allamakee
Rathbun Area.....	Appanoose, Lucas, Wayne
Sedan Bottoms .....	Appanoose
Sweet Marsh.....	Bremer
Big Marsh.....	Butler
Union Hills.....	Cerro Gordo
Round Lake .....	Clay
Jemerson Slough Complex .....	Dickinson
Forney Lake .....	Fremont
Riverton Area.....	Fremont



Dunbar Slough .....	Greene
Bays Branch .....	Guthrie
Eagle Flats.....	Hancock
Eagle Lake .....	Hancock
Green Island Area .....	Jackson
<u>Hawkeye Wildlife Area .....</u>	<u>Johnson</u>
Muskrat Slough.....	Jones
Red Rock Area.....	Marion, Polk, Warren
Badger Lake .....	Monona
Chichaqua Area.....	Polk
McCausland .....	Scott
Princeton Area.....	Scott
Otter Creek Marsh.....	Tama
Rice Lake Area .....	Winnebago
Snyder Bend Lake .....	Woodbury
Elk Creek Marsh.....	Worth

ITEM 2. Amend subrules 91.1(1) to 91.1(4) as follows:

**91.1(1) Zone boundaries.** The following zone boundaries apply in the time frames noted:

~~a.~~ For the 2020-2021 season, the north duck hunting zone is that part of Iowa north of a line beginning on the South Dakota-Iowa border at Interstate 29, southeast along Interstate 29 to State Highway 175, east to State Highway 37, southeast to State Highway 183, northeast to State Highway 141, east to U.S. Highway 30, and along U.S. Highway 30 to the Iowa-Illinois border. The Missouri River duck hunting zone is that part of Iowa west of Interstate 29 and south to the Iowa-Missouri border. The south duck hunting zone is the remainder of the state.

~~b.~~ For the fall 2021 through spring 2026 seasons, the The north duck hunting zone is that part of Iowa north of a line beginning on the South Dakota-Iowa border at Interstate 29, southeast along Interstate 29 to State Highway 20 to the Iowa-Illinois border. The south duck hunting zone is that part of Iowa west of Interstate 29 and south of State Highway 92 east to the Iowa-Illinois border. The central duck hunting zone is the remainder of the state.

**91.1(2) Season dates - north zone.**

~~a.~~ For the 2020-2021 season. Special September teal season: September 1 through September 16. For all ducks: ~~The first segment of the season will begin on the last Saturday in September and run for 7 days. The second segment of the season will open on the second Saturday in October and continue for 53 consecutive days.~~

~~b.~~ For the fall 2021 through spring 2026 seasons. Special September teal season: September 1 through September 16. For all ducks: The first segment of the season will begin on the Saturday nearest September 30 and run for 7 days. The second segment of the season will open on the Saturday nearest October 13 and continue for 53 consecutive days.

**91.1(3) Season dates - south zone/central zone.**

~~a.~~ For the 2020-2021 season – south zone. Special September teal season: September 1 through September 16. For all ducks: ~~The first segment of the season will begin on the first Saturday in October and run for 7 days. The second segment of the season will open on the third Saturday in October and continue for 53 consecutive days.~~

~~b.~~ For the fall 2021 through spring 2026 seasons – central zone. Special September teal season: September 1 through September 16. For all ducks: The first segment of the season will begin on the Saturday nearest October 6 and run for 7 days. The second segment of the season will open on the Saturday nearest October 20 and continue for 53 consecutive days.

**91.1(4) Season dates - Missouri River zone/south zone.**

~~a.~~ For the 2020-2021 season – Missouri River zone. Special September teal season: September 1 through September 16. For all ducks: ~~The first segment of the season will begin on the second Saturday in October and run for 7 days. The second segment of the season will open on the fourth Saturday in October and continue for 53 consecutive days.~~

~~b.~~ For the fall 2021 through spring 2026 seasons – south zone. Special September teal season: September 1 through September 16. For all ducks: The first segment of the season will begin on the Saturday nearest October 13 and run for 7 days. The second segment of the season will open on the Saturday nearest October 27 and continue for 53 consecutive days.

ITEM 3. Amend subrules 91.3(1) to 91.3(5) as follows:

**91.3(1) Zone boundaries.** The following zone boundaries apply in the time frames noted:

~~a.~~ For the 2020-2021 season, the north goose hunting zone is that part of Iowa north of a line beginning on the South Dakota-Iowa border at Interstate 29, southeast along Interstate 29 to State Highway 175, east to State Highway 37, southeast to State Highway 183, northeast to State Highway 141, east to U.S. Highway 30, and along U.S. Highway 30 to the Iowa-Illinois border. The Missouri River goose hunting zone is that part of Iowa west of Interstate 29 and south to the Iowa-Missouri border. The south goose hunting zone is the remainder of the state.

~~b.~~ Effective fall 2021 through spring 2026, the The north goose hunting zone is that part of Iowa north of a line beginning on the South Dakota-Iowa border at Interstate 29, southeast along Interstate 29 to State Highway 20 to the Iowa-Illinois border. The south ~~duck~~ goose hunting zone is that part of Iowa west of Interstate 29 and south of State Highway 92 east to the Iowa-Illinois border. The central ~~duck~~ goose hunting zone is the remainder of the state.

**91.3(2) Season dates - north zone.**

~~a.~~ For the 2020-2021 season. For all geese: The first segment of the regular goose season will begin on the second to last Saturday of September and run for a 16-day period. The second segment of the goose season will open on the second Saturday in October and continue for 53 consecutive days. The goose season will then close for a 10-day period and shall then reopen on the following Saturday and remain continuously open until the total number of days used for goose hunting reaches 107.

~~b.~~ For the fall 2021 through spring 2026 seasons. For all geese: The first segment of the regular goose season will begin on the Saturday nearest September 23 and run for a 16-day period. The second segment of the goose season will open on the Saturday nearest October 13 and continue for 53 consecutive days. The goose season will reopen on the Saturday nearest December 13 and remain continuously open until the total number of days used for goose hunting reaches 107.

**91.3(3) Season dates - ~~south zone/central~~ central zone.**

~~a.~~ For the 2020-2021 season—south zone. For all geese: The first segment of the regular goose season will begin on the last Saturday of September and run for a 16-day period. The second segment of the goose season will open on the third Saturday in October and continue for 53 consecutive days. The goose season will then close for a 10-day period and shall then reopen on the following Saturday and remain continuously open until the total number of days used for goose hunting reaches 107.

~~b.~~ For the fall 2021 through spring 2026 seasons—central zone. For all geese: The first segment of the regular goose season will begin on the Saturday nearest September 30 and run for a 16-day period. The second segment of the goose season will open on the Saturday nearest October 20 and continue for 53 consecutive days. The goose season will reopen on the Saturday nearest December 20 and remain continuously open until the total number of days used for goose hunting reaches 107.

**91.3(4) Season dates - ~~Missouri River zone/south~~ south zone.**

~~a.~~ For the 2020-2021 season—Missouri River zone. For all geese: The first segment of the regular goose season will begin on the first Saturday of October and run for a 16-day period. The second segment of the goose season will open on the fourth Saturday in October and continue for 53 consecutive days. The goose season will then close for a 10-day period and shall then reopen on the following Saturday and remain continuously open until the total number of days used for goose hunting reaches 107.

~~b.~~ For the fall 2021 through spring 2026 seasons—south zone. For all geese: The first segment of the regular goose season will begin on the Saturday nearest October 6 and run for a 16-day period. The second segment of the goose season will open on the Saturday nearest October 27 and continue for 53 consecutive days. The goose season will reopen on the Saturday nearest December 27 and remain continuously open until the total number of days used for goose hunting reaches 107.

**91.3(5) Bag limit.** The daily bag limit for dark geese (Canada geese, white-fronted geese, brant and any other geese that are not light geese) is 5 and may include no more than 2 Canada geese ~~from September 16 through October 31 and no more than 3 Canada geese from November 1 through the end of the season~~ during the first segment of the statewide season and no more than 3 Canada geese during the remainder of the statewide season. The daily bag limit for light geese (white and blue-phase snow geese and Ross' geese) is 20.

ITEM 4. Amend subrule 91.3(9) as follows:

**91.3(9) Cedar Rapids/Iowa City goose hunting zone Metropolitan goose hunting seasons and specified areas.**

a. Season dates. The ~~first~~ second Saturday in September for nine consecutive days.

b. Bag limit. Daily bag limit is 5 Canada geese.

c. Possession limit. Three times the daily bag limit.

*d. Zone boundary Specified areas.*

(1) Cedar Rapids/Iowa City. The Cedar Rapids/Iowa City goose hunting zone area includes portions of Linn and Johnson Counties bounded as follows: Beginning at the intersection of the west border of Linn County and Linn County Road E2W; thence south and east along County Road E2W to Highway 920; thence north along Highway 920 to County Road E16; thence east along County Road E16 to County Road W58; thence south along County Road W58 to County Road E34; thence east along County Road E34 to Highway 13; thence south along Highway 13 to Highway 30; thence east along Highway 30 to Highway 1; thence south along Highway 1 to Morse Road in Johnson County; thence east along Morse Road to Wapsi Avenue; thence south along Wapsi Avenue to Lower West Branch Road; thence west along Lower West Branch Road to Taft Avenue; thence south along Taft Avenue to County Road F62; thence west along County Road F62 to Kansas Avenue; thence north along Kansas Avenue to Black Diamond Road; thence west on Black Diamond Road to Jasper Avenue; thence north along Jasper Avenue to Robert Road; thence west along Robert Road to Ivy Avenue; thence north along Ivy Avenue to 340th Street; thence west along 340th Street to Half Moon Avenue; thence north along Half Moon Avenue to Highway 6; thence west along Highway 6 to Echo Avenue; thence north along Echo Avenue to 250th Street; thence east on 250th Street to Green Castle Avenue; thence north along Green Castle Avenue to County Road F12; thence west along County Road F12 to County Road W30; thence north along County Road W30 to Highway 151; thence north along the Linn-Benton County line to the point of beginning.

(2) Des Moines. The Des Moines goose hunting area includes those portions of Boone, Story, Polk, Warren, Madison, Dallas, and Marion Counties bounded as follows: Beginning at the intersection of State Highway 210 and S27 in Story County; thence south along County Road S27 to Polk County; thence south to State Highway 316; thence south to State Highway 5 in Marion County; thence west on State Highway 92 to State Highway 169 in Madison County; thence north on State Highway 169 to State Highway 141 in Dallas County; thence east to State Highway 210; thence north on State Highway 210 to Boone County; thence east on State Highway 210 to the point of beginning.

(3) Cedar Falls/Waterloo. The Cedar Falls/Waterloo goose hunting area includes those portions of Black Hawk County bounded as follows: Beginning at the intersection of County Roads C66 and V49 in Black Hawk County; thence south along County Road V49 to County Road D38; thence west along County Road D38 to State Highway 21; thence south along State Highway 21 to County Road D35; thence west along County Road D35 to Grundy Road; thence north along Grundy Road to County Road D19; thence west along County Road D19 to Butler Road; thence north along Butler Road to County Road C57; thence north and east along County Road C57 to U.S. Highway 63; thence south along U.S. Highway 63 to County Road C66; thence east along County Road C66 to the point of beginning.

ITEM 5. Rescind subrules **91.3(10)** and **91.3(11)**.

ITEM 6. Rescind and reserve paragraph **91.4(2)“c.”**

ITEM 7. Amend paragraph **91.4(2)“d”** as follows:

*d. Area four.* Portions of Winnebago and Worth Counties bounded as follows: Beginning at the junction of U.S. Highway 69 and County Road 105 in the city of Lake Mills; thence east along County Road 105 (including the right-of-way and all other road right-of-ways identified in this description) approximately 2 miles to Apple Ave.; thence south along Apple Ave. to 448th St.; thence east two and one fourth miles on 448th St. to Cardinal Ave.; thence south one fourth mile to 445th St.; thence east one fourth mile to Cedar Ave.; thence south one half mile on Cedar Ave. to the intersection of Cedar Ave. and 440th St.; thence south one half mile across the north half of section 16, township 99 north, range 22 west, to the intersection of Cedar Ave. and 435th St.; thence south 2 miles along Cedar Ave. to Lake St.; thence west one fourth mile along Lake St. to Front St.; thence southeast one half mile along Front St. to County Road A38 (also named 410th St.); thence west along County Road A38 to County Road R74 (also named 225th Ave.); thence north along County Road R74 to 420th St.; thence west along 420th St. to 220th Ave.; thence north along 220th Ave. to 430th St.; thence west along 430th St. one half mile; thence north one mile across section 15, township 99 north, range 23 west, to the intersection of 440th St. and 215th Ave.; thence north one fourth mile on 215th Ave. to 445th St.; thence east and northeast on 445th St. to South 12th Ave. West in Lake Mills; thence east on South 12th Ave. West to South Lake St.; thence north on South Lake St. to point of beginning 225th Ave. (also known as County Road R74) and South 10th Ave. East in the city of Lake Mills; thence east along South 10th Ave. to 445th St. (including the right-of-way and all other road right-of-ways identified in this description); thence east to Apple Ave.; thence north to 448th St. to Bluebill Ave. (also known as County Road S10); thence south to the intersection of North Western St. (also known

as Cardinal Ave.) and Lake St. in the city of Joice; thence west on Lake St. (also known as 415th St.) to 418th St.; thence west to Balsam Ave.; thence north to 420th St.; thence west to Aspen Ave.; thence north to 425th St. (also known as County Road A34); thence west to 225th Ave. (also known as County Road R74); thence north on 225th Ave. to the point of beginning.

ITEM 8. Rescind and reserve paragraph **91.4(2)“e.”**

ITEM 9. Amend paragraphs **91.4(2)“g”** and **“h”** as follows:

*g. Area seven.* Portions of ~~Guthrie and Dallas Counties~~ County bounded as follows: Beginning at the junction of State Highways 4 and 44 in Panora; thence north along State Highway 4 (including the right-of-way) to County Road F25; thence east along County Road F25 (including the right-of-way) to ~~York Avenue~~ County Road P30 (also known as Wink Avenue); thence south along ~~York Avenue~~ County Road P30 1 mile (including the right-of-way) to 170th Street; thence east one-half mile (including the right-of-way) to ~~A Yellow Avenue in Dallas County~~; thence south on ~~A Yellow Avenue~~ 5 miles (including the right-of-way) to State Highway 44; thence west along State Highway 44 (including the right-of-way) to the point of beginning.

*h. Area eight.* A portion of Adams County on any federal-, state-, or county-owned lands or waters within the area bounded as follows by the following roads: Beginning at the intersection of State Highway 148 and Adams County Road N28; thence east along Adams County Road N28 (including the right of way) to Adams County Road N53; thence east and north along Adams County Road N53 (including the right of way) approximately 4.5 miles to Adams County Road H24; thence west along Adams County Road H24 (including the right of way) about 8 miles to Hickory Avenue; thence south along Hickory Avenue (including the right of way) about 2.5 miles to Adams County Road N28; thence east along Adams County Road N28 (including the right-of-way) to the point of beginning Beginning at the junction of Ironwood Avenue (also known as State Highway 148) and County Road N28; thence north along Ironwood Avenue to 150th Street; thence east along 150th Street to Corning Carl Road (also known as County Road N53); thence south along Corning Carl Road to County Road N28 (also known as 183rd Street); thence west along County Road N28 to the point of beginning.

ITEM 10. Amend paragraph **91.4(2)“k”** as follows:

*k. Area eleven.* Starting at the junction of the navigation channel of the Mississippi River and the mouth of the Maquoketa River in Jackson County, proceeding southwesterly along the high-water line on the west side of the Maquoketa River to U.S. Highway 52; thence southeast along U.S. Highway 52 (including the right-of-way) to ~~607th Avenue~~; thence east along ~~607th Avenue~~ (including the right-of-way) to the Sioux Line Railroad; thence north and west along the Sioux Line Railroad to the Green Island levee; thence northeast along a line following the Green Island levee to the center of the navigational channel of the Mississippi River; thence northwest along the center of the navigational channel to the point of beginning the first intersection of Green Island Road; thence northeast along Green Island Road (including right-of-way) to the southeast corner of the Green Island wildlife management area waterfowl refuge; thence north along the waterfowl refuge line and following said refuge line exactly to its northwest corner at the intersection with 501st Avenue; thence north along 501st Avenue (including the right-of-way) to the point where it intersects the east bank of the Maquoketa River; thence proceeding northeasterly along the high-water line on the east side of the Maquoketa River to the junction of the navigation channel of the Mississippi River; thence northwest along the center of the navigational channel to the point of beginning.

ITEM 11. Rescind and reserve paragraph **91.4(2)“m.”**

ITEM 12. Amend paragraph **91.4(2)“n”** as follows:

*n. Area fourteen.* Portions of Bremer County bounded as follows: Beginning at the intersection of Tahoe Avenue and State Highway 93 (also named 140th Street); thence south along Tahoe Avenue (including the right-of-way and all other road right-of-ways identified in this description) to ~~County Road C33; thence west along County Road C33 to Navaho Avenue; thence north along Navaho Avenue to State Highway 93; thence west along State Highway 93 to U.S. Highway 63; thence north 3 miles along U.S. Highway 63 to 140th Street; thence east along 140th Street for 2 miles and continuing on a similar east line for 2 more miles along the north borders of sections 28 and 29, township 93 north, range 12 west, to County Road V5C (also named 140th Street); thence east about one-half mile on County Road V5C to State Highway 93; thence east on State Highway 93 to the point of beginning~~ County Road C28 (also known as 165th Street); thence west along County Road C28 to State Highway 93; thence north to County Road V5C (also known as Possum Avenue) to 140th Street; thence east along 140th Street to State Highway 93 to the point of beginning.

ITEM 13. Rescind and reserve paragraph **91.4(2)“o.”**

ITEM 14. Amend paragraph **91.4(2)“p”** as follows:

*p. Area sixteen.* A portion of Union County on any federal-, state-, or county-owned lands or waters within the area bounded as follows by the following roads: Beginning at the intersection of U.S. Highway 34 and County Road P53 near Afton; thence west along U.S. Highway 34 (including the right-of-way and all other road right-of-ways identified in this description) approximately 2.5 miles to Twelve Mile Lake Road; thence north along Twelve Mile Lake Road approximately 5 miles to Union County Road H17; thence north and east along Union County Road H17 to County Road P53; thence south along County Road P53 to the point of beginning.

ITEM 15. Rescind subrule **91.4(3)**.

ITEM 16. Amend subparagraph **91.5(1)“b”(1)** as follows:

(1) Landowners and tenants who own or farm land in the closed areas will be permitted to hunt Canada geese in the closed areas ~~for three years. This experimental hunting opportunity will be evaluated by the landowners and the DNR following each season, at which time changes may be made.~~

ITEM 17. Amend subrule 92.3(11) as follows:

**92.3(11)** By any of the methods or means prohibited in this rule unless such methods or means have been approved by the U.S. Fish and Wildlife Service for the taking of ~~snow~~ light geese during special ~~snow-geese-only~~ light ~~goose-only~~ light seasons or ~~snow-geese-only~~ light ~~goose-only~~ light hunts.

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

**Decision Item**

**11. Chapter 94, “Nonresident Deer Hunting,” and Chapter 106, “Deer Hunting by Residents” – Final Rule**

The Commission is requested to adopt a Final rule to amend Chapter 94, “Nonresident Deer Hunting,” and Chapter 106, “Deer Hunting by Residents.”

**Chapter 94, Nonresident Deer Hunting:**

**Basic Intent of Current Rule:** Chapter 94 sets regulations for deer hunting by nonresidents and includes season dates, bag limits, possession limits, shooting hours, areas open to hunting, licensing procedures, means and methods of take, transportation, and reporting requirements.

**NOIA Process:** The Notice of Intended Action was approved by the NRC on February 2, 2022. This amendment clarifies license requirements for nonresident hunters under the age of 16 by directly citing Iowa Code section 483A.24(8).

The Notice of Intended Action was published in the Iowa Administrative Bulletin on March 9, 2022, as ARC 6239C. A public hearing was held on March 29, 2022, at 12pm via conference call. No one attended the conference call and no comments were received relevant to Chapter 94.

**Changes from NOIA:** None

**Effective Date of Final Rule:** July 20, 2022

**Chapter 106, Deer Hunting by Residents:**

**Basic Intent of Current Rule:** Chapter 106 sets regulations for deer hunting by residents and includes season dates, bag limits, possession limits, shooting hours, areas open to hunting, licensing procedures, means and methods of take, transportation, and reporting requirements.

**NOIA Process:** The Notice of Intended Action (NOIA) was approved by the NRC on February 2, 2022. Three amendments to Chapter 106 are adopted in this rulemaking. First, Monroe County is added to Chapter 106’s list of counties eligible for a January antlerless-deer-only season. Second, antlerless-deer-only county quotas are modified to increase harvest in central and southern Iowa, where the wild herd is above population goals. Conversely, quotas are modified for far western Iowa to decrease harvest where populations are below goals and hunter effort is waning. Lastly, centerfire rifles .240 to .350 are added to the list of approved rifles for the January antlerless-deer-only season.

The NOIA was published in the Iowa Administrative Bulletin on March 9, 2022, as ARC 6239C. A public hearing was held on March 29, 2022, at 12pm via conference call. No one attended the conference call and five comments were received from the public. All five expressed a concern that there are too few deer being seen in their area and requested lower antlerless deer quotas to encourage population growth.

As noted in the NOIA, a reduction in antlerless deer quotas was proposed for western Iowa where four of the five comments originated.

**Changes from NOIA:** None

**Effective Date of Final Rule:** July 20, 2022

Todd Bishop, Wildlife Bureau Chief  
Conservation and Recreation Division  
NRC Meeting Date: May 12, 2022

**Attachment:** Chapter 94, “Nonresident Deer Hunting”, and Chapter 106, “Deer Hunting by Residents” - Final Rule

## **NATURAL RESOURCE COMMISSION [571]**

### **Adopted and Filed**

The Natural Resource Commission (Commission) hereby adopts Chapter 94, “Nonresident Deer Hunting,” and 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*

Chapters 94 and 106 govern deer hunting by nonresidents and residents in the state of Iowa. Collectively, these chapters regulate deer hunting and set 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 one amendment to Chapter 94 and three amendments to Chapter 106. First, license requirements for nonresident hunters under the age of 16 are clarified in Chapter 94 by directly citing Iowa Code section 483A.24(8). This statute allows persons under the age of 16 to have only a nonresident deer hunting license for deer hunting. Other nonresidents must purchase a deer hunting license along with a general hunting license and pay the wildlife habitat fee. Second, Monroe County is added to Chapter 106’s list of counties eligible for a January antlerless-deer-only season. Third, antlerless-deer-only county quotas are modified to increase harvest in central and southern Iowa, where the wild herd is above population goals. Conversely, quotas are modified for far western Iowa to decrease harvest where populations are below goals and hunter effort is waning. Lastly, centerfire rifles .240 to .350 are added to the list of approved rifles for the January antlerless-deer-only season.

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

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on March 9, 2022, as **ARC 6239C**.

A public hearing was held on March 29, 2022, at Noon via conference call. No one attended the hearing.

Five comments were received from the public. All five expressed a concern that there are too few deer being seen in their area and requested lower antlerless deer quotas to encourage population growth.

No changes were made from the Notice of Intended Action. Antlerless deer quotas are being reduced in western Iowa where four of the five comments originated.

#### *Adoption of Rule Making*

This rule making was adopted by the Commission on May 12, 2022.

#### *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 upon request.

#### *Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found.

#### *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 July 20, 2022.

The following rule-making action is adopted:

ITEM 1. Amend rule 571—94.1(483A), introductory paragraph, as follows:

**571—94.1(483A) Licenses.** Every hunter, except as authorized by Iowa Code section 483A.24(8), must have in possession a valid nonresident deer license, a valid nonresident hunting license, and proof that the hunter has paid the current year’s wildlife habitat fee when hunting, possessing, or transporting deer. No person, while hunting deer, shall carry or have in possession any license or transportation tag issued to another person. No one who is issued a deer hunting license and transportation tag shall allow another person to use or possess that license or transportation tag while deer hunting or tagging a deer.

ITEM 2. Amend subrule 106.1(6) as follows:

**106.1(6) January antlerless-deer-only licenses.** Licenses for the January antlerless-deer-only season may be issued for the following counties: Allamakee, Appanoose, Decatur, Monroe, Wayne, and Winneshiek. 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 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>750</del> <u>500</u>
Adams	1000	Franklin	0	Monroe	<del>2250</del> <u>2500</u>
Allamakee	3800	Fremont	<del>1000</del> <u>0</u>	Montgomery	500
Appanoose	2700	Greene	<del>0</del> <u>100</u>	Muscatine	900
Audubon	0	Grundy	0	O’Brien	0
Benton	325	Guthrie	<del>2150</del> <u>2350</u>	Osceola	0
Black Hawk	0	Hamilton	0	Page	<del>500</del> <u>300</u>
Boone	<del>300</del> <u>400</u>	Hancock	0	Palo Alto	0
Bremer	300	Hardin	0	Plymouth	0
Buchanan	400	Harrison	<del>750</del> <u>500</u>	Pocahontas	0
Buena Vista	0	Henry	1050	Polk	1350
Butler	200	Howard	450	Pottawattamie	<del>750</del> <u>500</u>
Calhoun	0	Humboldt	0	Poweshiek	200
Carroll	0	Ida	0	Ringgold	<del>1400</del> <u>1600</u>
Cass	<del>400</del> <u>300</u>	Iowa	450	Sac	0
Cedar	775	Jackson	1100	Scott	200



County	Quota	County	Quota	County	Quota
Cerro Gordo	0	Jasper	<del>575</del> <u>400</u>	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	1700	Van Buren	<del>2100</del> <u>2300</u>
Crawford	0	Linn	850	Wapello	1600
Dallas	2100	Louisa	775	Warren	3000
Davis	<del>1700</del> <u>1900</u>	Lucas	2500	Washington	1000
Decatur	<del>2200</del> <u>2400</u>	Lyon	0	Wayne	2700
Delaware	950	Madison	3300	Webster	0
Des Moines	900	Mahaska	475	Winnebago	0
Dickinson	0	Marion	2050	Winneshiek	2700
Dubuque	1200	Marshall	150	Woodbury	<del>200</del> <u>0</u>
Emmet	0	Mills	<del>300</del> <u>150</u>	Worth	0
Fayette	2500	Mitchell	100	Wright	0

ITEM 4. Amend subrule 106.7(5) as follows:

**106.7(5) 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, may be used during the January antlerless-deer-only season.

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

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

**\*12. Publicly Owned Lakes Program Watershed Eligibility – FY23**

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**Purpose:** The Department of Agriculture and Land Stewardship (IDALS) - Division of Soil Conservation and Water Quality manages and provides funding for Iowa's Publicly Owned Lakes Program. This program establishes and maintains a priority list of watersheds above publicly owned lakes and reservoirs eligible for POL cost-share of approved soil conservation or water quality practices on private land.

In order to be eligible to receive IDALS's Publicly Owned Lake (POL) Program funds, an applicant must be a soil and water conservation district and submit an application for POL priority designation to IDALS. The application must include a map of the watershed identifying the sources of significant sediment delivery to the lake and documentation of the existence of a watershed plan that targets significant sources of sediment delivery to the lake. Applications are approved based on: 1) compliance with the POL application requirements, 2) a current watershed plan to improve water quality and reduce the delivery of sediment to the publicly owned lake, 3) presence on the priority list for lake restoration or an existing Section 319-funded lake watershed project, and 4) available funding.

**Summary of Selection Process:** As outlined in Iowa Administrative Code 571, Chapter 31, Public Owned Lakes Program, the DNR is part of the application review and recommendation process. The DNR is to then submit the recommended list of publicly owned lakes eligible under the program for the upcoming year to the NRC for approval. The Review and Selection Committee evaluated applications based on the criteria above. Locations within the watersheds that contribute significant sediment to the lake have plans for targeted installation of permanent soil conservation practices or management practices that will reduce sediment delivery.

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

- 4 IDNR Staff – Conservation and Recreation Division (2); Environmental Services Division (2)
- 1 IDALS Staff

**Number of Applications Received** 9

**Recommendations:** In accordance with the administrative rules, the Review and Selection Committee has determined that the following meet program requirements and recommends approval of the following list of watersheds for program eligibility:

- Black Hawk Lake, Sac SWCD
- Clarke County Reservoir, Clarke SWCD
- Crawford Pond, Washington SWCD
- Diamond Lake, Poweshiek SWCD
- Lake Geode, Des Moines and Henry SWCD's
- Lake Icaria, Adams SWCD
- Lake Miami, Monroe SWCD
- Three Mile Lake, Union and Adair SWCD's
- Twelve Mile Lake, Union and Adair SWCD's

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

Iowa Department of Natural Resources  
Natural Resource Commission

Decision Item

13. Contract with Black Hawk County Conservation Board (Casey Lake)

Commission approval is requested for a contract with Black Hawk County Conservation Board (BHCCB) of Waterloo, Iowa.

Contract Terms:

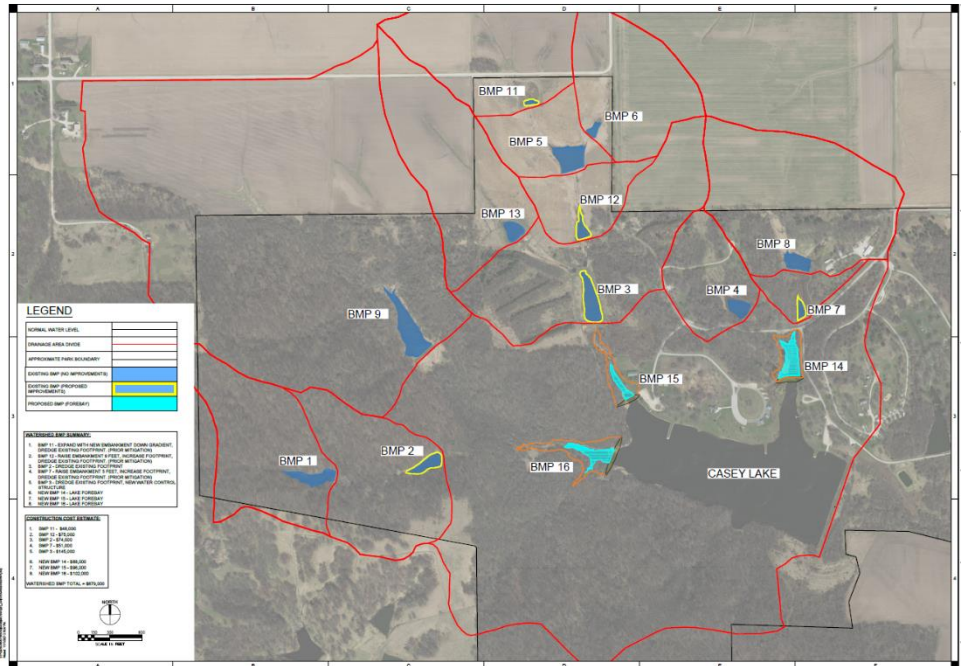
**Amount:** Not to exceed \$284,325

**Dates:** July 1, 2022 to December 31, 2023

**Funding Source(s):** Lake Restoration Program

**Background:** Casey Lake is a 39-acre lake in a 748-acre watershed, with most of the watershed located within the 723-acre Hickory Hills Park. The lake was constructed in 1970, coinciding with the overall development of the park. Hickory Hills Park provides recreational opportunities to the public including: camping, cabins, fishing, electric only boating, hunting, scenic grass trails, animal exhibits, and shelters. The park is located in Tama County but is managed by the Black Hawk County Conservation Board (BHCCB).

Casey Lake is currently on the State of Iowa's impaired waters list for algae (high chlorophyll-a concentrations), which has been attributed to high phosphorus levels in the lake. The Iowa DNR's Watershed Improvement Section produced a Total Maximum Daily Load (TMDL) Report in 2012 to identify sources of pollution to Casey Lake and suggested ways of improving water quality with the goal of removing the impairment at the Lake. The TMDL cited a high internal load (accounting for about 40% of the total phosphorus budget) in the lake that is likely contributing to water quality problems. Since the TMDL was published, BHCCB has worked to improve the watershed, adding four wetlands above the lake. In April 2019, Park staff completed a gully



assessment in the park and several erosion issues were identified, which are contributing to siltation in the west end of the Lake. While many of the watershed issues have already been addressed, there remains an opportunity to improve existing Best Management Practices (BMPs) to further reduce nutrient and sediment inputs to the lake. Additionally, in-lake work is needed to reduce internal loading and remove excess sediment from the western portions of the lake.

In 2021, DNR and the Black Hawk CCB hired Shive Hattery, Inc. to evaluate existing watershed BMPs within the park and develop a lake restoration plan for Casey Lake (total cost \$56,300; \$42,225 LRP, \$14,075 TCCB). As a result of this assessment, project partners are planning to move forward with engineering design, permitting, and construction to improve water quality and recreational opportunities in the lake.

**Contract Purpose:** The purpose of this cooperative agreement is to work with Black Hawk County Conservation Board to retain a consultant to provide engineering services for the restoration of Casey Lake, located within Hickory Hills Park. Engineering services for this project include design, geotechnical analysis, permitting, and public outreach for improving water quality in the lake. Design for renovating and improving four watershed BMPs, design for up to five grade stabilization structures to address gully erosion within the park, and development of a timber stand improvement plan for the park. Additionally, design

for target removal of approximately 165,000 cubic yards of excess sediment, stabilize sections of critically eroding shoreline, and construction three in-lake sediment forebays.

**Budget:**

DNR Contribution (75%):	Not to exceed \$284,325.00
<u>TCCB Contribution (25%):</u>	<u>Not to exceed \$94,775.00</u>
Total Cost:	Not to exceed \$379,100.00

**Anticipated Future Work:** Future work will include construction of watershed BMPs and in-lake restoration strategies that are designed to improve water quality and recreational opportunities in Casey Lake. The BHCCB will continue to be cost share partners for the duration of the project. Total estimated cost for construction of all elements of the project is \$3 million and will include construction and renovation of ponds and wetlands within the park, targeted mechanical dredging of excess sediment from the lake, shoreline stabilization, installation of fish habitat structures and recreational jetties, phosphorus inactivation, and potential upgrades and repairs to the drawdown structure in the lake.

**Selection Process Summary:** This contract is authorized by 11 Iowa Administrative Code section 118.4.

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

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

**Decision Item**

**14. Contract with Shive-Hattery (Green Valley Lake)**

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Commission approval is requested for a contract with Shive-Hattery, of West Des Moines, IA.

**Contract Terms**

**Amount:** not to exceed \$68,000

**Dates:** June 1, 2022 to October 1, 2023

**Funding Source(s):** Rebuild Iowa's Infrastructure Fund (50%), Fish and Wildlife Trust Fund (50%)

**Contract Purpose:** Green Valley Lake was designed in 1949 and originally constructed in 1952. The spillway was reconstructed, in part, in 1962, 1974 and 2008. In the spillway, water is constantly flowing, freezing, and thawing. This activity causes natural wear on the structure. Water and soil pressure push on the walls which tilts stems, damages joints, and eventually causes segments to fail. Downstream of the bridge, elements of the spillway are nearing or past their 50-year design life.

For this project, an engineering consulting firm will conduct an in-depth condition assessment of the spillway and develop a report which identifies probable causes of spillway failures and recommendations for rehabilitation. The consultant will also be responsible for developing design plans and specifications based upon the findings for the spillway rehabilitation. The rehabilitation design plans will be in accordance with ACI concrete repair specifications or the recommended industry equivalent. The consultant will also be retained by the DNR during bidding/construction phase on a limited bases to answer question during the bidding process, approve submittals and answer any questions during construction. Contract tasks include:

- Consultant to meet on-site with the DNR to establish goals, objectives, and standards including but not limited to expectations and regulatory requirements;
- Create a 90 % inspection report documenting the inspection techniques, condition of the spillway chute, and foundation assessment. This report will also include recommendations for rehabilitation including conceptual estimated cost for repair work;
- Finalize and submit a 100% inspection report after feedback from DNR;
- Submit 90% completed construction Bidding Documents, that will include plans, specifications and cost estimate. The firm will also be responsible for obtaining all required permits;
- Submit 100% construction bidding documents after any feedback from DNR; and
- Answer and clarify any questions during bidding, review submittals and shop drawings, attend the pre-bid meeting and answer questions during construction phase.

**Selection Process Summary:** The Department solicited an informal Request for Proposals from ten consulting firms. The area supervisor, engineering supervisor, and the engineer assigned to the project reviewed the bid proposals based upon the following criteria: cost, service provider's capability, past experience and their past performance on contracts that were similar in scope.

**Proposal Due Date:** April 7, 2022

**# of Proposals Received:** 1

**Recommendation:** Shive-Hattery

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

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

**Information Item**

**15. 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>
3/31/22	19-03-09-05 Fisheries	Sweet Marsh WMA	Bremer	Replacing the wood deck and the repair of corners on a water control structure.	\$24,000	<b>\$27,420.00</b> \$41,028.00
3/31/22	18-06-53-02 Wildlife	Pictured Rocks WMA	Jones	Minor excavation and revetment armoring to repair washouts along edge of road and grading/blading the gravel roads and placing Class A Road Stone.	\$30,000	<b>\$13,765.00</b> \$14,894.25 \$21,574.40 \$23,974.75 \$24,065.25 \$24,517.50 \$24,777.00
4/7/22	22-06-82-01 Wildlife	Lost Grove WMA	Scott	Grading ditches, placing road stone and repairing a culvert.	\$35,000	<b>\$36,477.50</b> \$40,615.00 \$43,973.00 \$57,087.00 \$59,965.50 \$64,051.85 \$87,965.00
4/14/22	21-06-58-02 Wildlife	Odessa Wildlife Unit	Louisa	Removal and replacement of 267 CY of concrete pavement.	\$28,000	<b>\$35,115.00</b>
4/21/22	22-05-63-01 Wildlife	West Dunreath Access Road	Marion	Reconstruction of an access road.	\$37,000	<b>\$32,194.98</b> \$34,926.38 \$37,452.00 \$41,474.40 \$43,982.06 \$69,148.00

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

Iowa Department of Natural Resources  
Natural Resource Commission

Decision Item

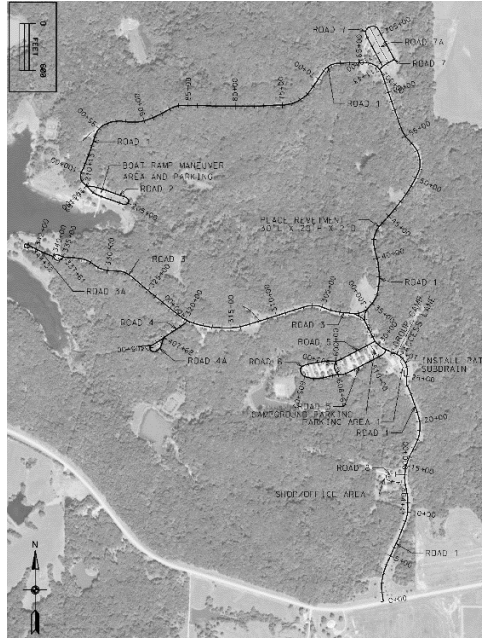
16. Construction Projects

16.1 Nine Eagles State Park, Pavement Preservation – Decatur County

The Department requests Commission approval of the following construction project:

**Project Summary:** Opened in 1940, Nine Eagles State Park has 1,100 acres of forested hills, nine miles of hiking, six miles of equestrian trails, and a 64-acre lake. There are three campgrounds which include 27 electric sites, 26 non-electric sites, and seven equestrian sites. Two shower buildings, one cabin, and a beach also add to the park's amenities.

The original roadway was paved in 2004 and is due for routine maintenance. The project consists of HMA (hot mix asphalt) pavement preservation on 3.8 miles of roadway including crack sealing and filling, transverse joint repairs, longitudinal joint repairs, full depth patching, fog sealing, and placing 66 tons of stone revetment to control slope erosion.



**Engineering Project #:** 21-05-27-01

**Cost Estimate:** \$230,000

**Operating Bureau:** Parks

**Funding Source:** IA DOT Parks and Institutional Road Fund

**Bid Letting Date:** 04/21/2022

**Construction Completion Date:** 09/30/2022

**Number of Bids Received:** 1

**Bidders**

Midwest Coatings Company, Inc.

Modale, IA

\$261,040.50

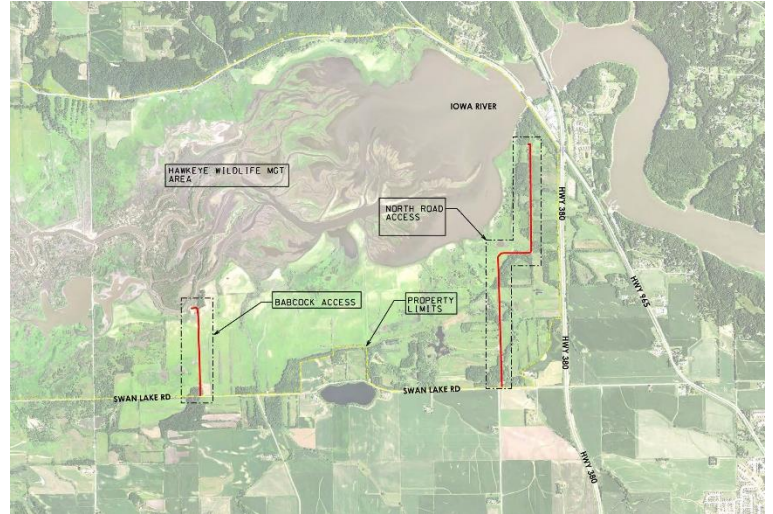
Upon Engineering's review of bids, DNR recommends awarding the contract to Midwest Coatings Company, Inc.

### 16.2 Hawkeye Wildlife Unit, North road and Babcock Access Road Maintenance-Johnson County

The Department requests Commission approval of the following construction project:

**Project Summary:** The Hawkeye Wildlife Area is located near North Liberty on Hwy 965. This 13,898-acre area is comprised of timber, upland, and marsh that supports deer, squirrel, pheasant, waterfowl, and dove.

This project consists of 0.8 miles of granular roadway maintenance, consisting of reestablishing the roadway crown, cleaning out ditches, and spreading 920 tons of new rock. Additionally, a 12" diameter culvert and a 48" diameter culvert will be replaced.



**Engineering Project #:** 21-06-52-02

**Cost Estimate:** \$130,000

**Operating Bureau:** Wildlife

**Funding Source:** IA DOT Parks and Institutional Road Fund

**Bid Letting Date:** 4/20/2022

**Construction Completion Date:** 11/11/2022

**Number of Bids Received:** 6

#### **Bidders**

Boyle Built Enterprises, LLC	Selma, IA	\$148,267.65
Sulzco, LLC	Muscatine, IA	\$164,000.00
Leffler Dirtworks, LLC	Oskaloosa, IA	\$173,955.00
Cole Construction Co., Inc	Keosauqua, IA	\$179,290.00
David Ryan Construction	Decorah, IA	\$179,470.00
MD Construction Garwin, Inc	Garwin, IA	\$224,716.44

Upon Engineering's review of bids, DNR recommends awarding the contract to Boyle Built Enterprises, LLC.

### 16.3 Green Valley State Park, Campground Pavement Maintenance – Union County

The Department requests Commission approval of the following construction project:

**Project Summary:** Green Valley State Park in southwest Iowa is a popular destination for fishing and boating. The park is a family-friendly hub for camping, picnicking or any outdoor pursuit. Green Valley's 390-acre lake is stocked with walleye, bluegill, channel catfish and more. The lake has six fishing jetties, two ADA accessible fishing piers are available on the north and south shorelines, and a section of shoreline is designated as 24-hour fishing access.

Age, along with increasing traffic loading and vehicle size/weight, has led to transverse thermal cracking, longitudinal cracking, oxidation, and a few localized pavement failures along the 1.1 miles of roadway in the campground. Work includes patching, transverse joint repair, crack sealing, fog seal, and placement of 70 tons of shoulder rock.





**Engineering Project #:** 21-04-88-04  
**Cost Estimate:** \$230,000  
**Operating Bureau:** Parks  
**Funding Source:** IA DOT Parks and Institutional Road Fund  
**Bid Letting Date:** 4/21/2022  
**Construction Completion Date:** 08/31/2022  
**Number of Bids Received:** 1

**Bidders**

Midwest Coatings Company, Inc.	Modale, IA	\$288,424.75
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Upon Engineering’s review of bids, DNR recommends awarding the contract to Midwest Coatings Company, Inc.

**16.4 Rathbun Fish Hatchery, Inlet Supply Tee Replacement – Appanoose County**

The Department requests Commission approval of the following construction project:

**Project Summary:** Established in 1977, the Rathbun Fish Hatchery is a warm-water fish hatchery producing walleye and catfish. The water supply for this hatchery is Rathbun Lake by way of an 18” pipe through the dam.

At the toe of the Rathbun Lake Dam, there is a manhole with an 18” tee with an air-release valve. Air release is important to aid in emptying the pipe, preventing air-hammer, preventing vacuum which can cause pipe collapse, and venting large volumes of air during fill up. All water to the hatchery flows through this tee and manhole.

The original 18” tee has corroded over time and has sprung a leak. The leak has been repaired temporarily, but replacement of the tee is necessary as a long-term solution. There is also some valve and piping equipment owned by Rathbun Rural Water Association inside the manhole, which will be replaced during this project. This work will be performed in mid-November, as this is when the hatchery needs the least flow.



**Engineering Project #:** 22-05-04-08  
**Cost Estimate:** \$39,000  
**Operating Bureau:** Fisheries  
**Funding Source:** 94% REAP Land Management, 6% Rathbun Rural Water Association  
**Bid Letting Date:** 4/21/2022  
**Construction Completion Date:** 11/22/2022  
**Number of Bids Received:** 3

**Bidders**

IA Builders	Albia, IA	\$67,281.00
Leffler Dirtworks LLC	Oskaloosa, IA	\$67,750.00
Vicker Drilling LLC	Creston, IA	\$68,380.00

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

Travis Baker, Land & Waters Bureau Chief  
 Conservation and Recreation Division  
 NRC Meeting Date: 05/12/2022