

**Minutes of the
Natural Resource Commission
Meeting**

**May 12,
2022**

Teleconference Business Meeting
Iowa Department of Natural Resources
502 E 9th St, 2nd Fl, Des Moines, IA

For Office Use Only

Date Minutes Approved By NRC: 06/09/22

Director's Signature: _____
Kayla Lyon, Director

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Natural Resource Commission Minutes

Sender's initials: KR

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MEETING MINUTES

Call to Order

The meeting of the Natural Resource Commission was called to order by the NRC Chair, Margo Underwood, on 05/12/22 at 9:31am. This meeting is open to the public and is being recorded as outlined by Iowa Code (571—1.8). The meeting is being conducted electronically pursuant to and in compliance with Iowa Code 21.8. The Commission has made the determination that it would be impractical for this meeting to be conducted in person based on the length and content of the agenda.

Commissioner Attendance

Present

- Marcus Branstad, Vice Chair (electronically) [9:31a-11:30a]
- Laura Foell (electronically) [9:31a-11:30a]
- Uriah Hansen (electronically) [9:31a-11:30a]
- Laura Hommel, Secretary (electronically) [9:31a-11:30a]
- Tammi Kircher (electronically) [9:31a-11:30a]
- Tom Prickett (electronically) [9:31a-11:30a]
- Margo Underwood, Chair (electronically) [9:31a-11:30a]

Absent

None

Public Participation

(10am and 10:20am)

Name	Address	Representing	Topic
Elizabeth Todd	Milford, IA	--	Interested in a paid internship
Bertha Mathis	Emmetsburg, IA	--	Turbine siting and Prairie Pothole migratory route protection
Wayne Knutsen	Palo Alto County	--	Wind turbines in Emmetsburg, IA
Christopher Knutsen		--	Wind development in Dewey’s Pasture

1. Approval of Agenda

Motion – Commissioner Foell
 Seconded – Commissioner Hansen
 Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

2. Annual Election of Natural Resource Commission Officers

Commissioner Underwood requested nominations for Chair, Vice-Chair, and Secretary.

Position of Chair:
 Motion - Commissioner Underwood nominated Marcus Branstad to serve as Chair.
 Nomination Accepted
 Commissioner Foell noted she will be voting no on all nominations due to the process. She asked the Chair, for future elections, to inquire on position interests prior to nominations.
 Decision – Approved (1 nay-Foell)

Position of Vice Chair:
 Motion - Commissioner Branstad nominated Tom Prickett to serve as Vice-Chair.
 Nomination Accepted
 Decision – Approved (1 nay-Foell)

Position of Secretary:
 Motion - Commissioner Hansen nominated Laura Hommel to serve as Secretary.
 Nomination Accepted
 Decision – Decision – Approved (1 nay-Foell)

3. Approve Minutes of 04/14/22 Public Meeting

Motion – Commissioner Hommel
 Seconded – Commissioner Foell
 Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

4. Director’s Remarks

Director Lyon provided information regarding the status of the budget’s approval, an Arbor Day event, the Iowa Tourism office partnership and survey, and the recent merganser rescue by Pete Hildreth.

5. Division Administrator’s Remarks

Pete Hildreth, Conservation and Recreation Division Administrator, provided information about the spring turkey season, status of the Black Hawk Lake restoration project, fishing reports, a fish hatchery broodstock collection process review occurring, and the work by CRD’s Forest Management Strategic Deployment team. He reported that staff continue to work with Iowa City staff to help them with their depredation bowhunt this fall.

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

Motion – Commissioner Hansen
 Seconded – Commissioner Underwood
 Discussion – Kim Rasler, CRD, provided information about the use of the Violet Moravek donation, general donor acknowledgements, and ongoing discussions with Communications about donation related opportunities.
 Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

***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

CARRIED UNDER 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	Waterville, IA	\$108,480.00

CARRIED UNDER CONSENT

9. Contract Amendment-3 with Liberty Press, LLC

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

Motion – Commissioner Kircher
Seconded – Commissioner Hansen
Discussion – Mick Klemesrud, Communications, provided information about the ongoing promotion of the digital version of the regulations on the app, hard copy users, and the increasing cost of wood products related to increased contract cost.
Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

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

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

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
Hawkeye Wildlife Area.....	Johnson
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
Jemmerson 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 goose-only~~ light goose-only seasons or ~~snow goose-only~~ light goose-only hunts.

Motion – Commissioner Kircher
Seconded – Commissioner Hansen
Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

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

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	750 <u>500</u>
Adams	1000	Franklin	0	Monroe	2250 <u>2500</u>
Allamakee	3800	Fremont	1000 <u>0</u>	Montgomery	500

May 12, 2022

Natural Resource Commission Minutes

County	Quota	County	Quota	County	Quota
Appanoose	2700	Greene	0 <u>100</u>	Muscatine	900
Audubon	0	Grundy	0	O'Brien	0
Benton	325	Guthrie	2150 <u>2350</u>	Osceola	0
Black Hawk	0	Hamilton	0	Page	500 <u>300</u>
Boone	300 <u>400</u>	Hancock	0	Palo Alto	0
Bremer	300	Hardin	0	Plymouth	0
Buchanan	400	Harrison	750 <u>500</u>	Pocahontas	0
Buena Vista	0	Henry	1050	Polk	1350
Butler	200	Howard	450	Pottawattamie	750 <u>500</u>
Calhoun	0	Humboldt	0	Poweshiek	200
Carroll	0	Ida	0	Ringgold	1400 <u>1600</u>
Cass	400 <u>300</u>	Iowa	450	Sac	0
Cedar	775	Jackson	1100	Scott	200
Cerro Gordo	0	Jasper	575 <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	2100 <u>2300</u>
Crawford	0	Linn	850	Wapello	1600
Dallas	2100	Louisa	775	Warren	3000
Davis	1700 <u>1900</u>	Lucas	2500	Washington	1000
Decatur	2200 <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	200 <u>0</u>

County	Quota	County	Quota	County	Quota
Emmet	0	Mills	300 150	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.

Motion – Commissioner Foell
 Seconded – Commissioner Hansen
 Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

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

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

CARRIED UNDER CONSENT

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

~~TCCB~~ **BHCCB** Contribution (25%): Not to exceed \$94,775.00

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.

Motion – Commissioner Kircher
Seconded – Commissioner Underwood
Discussion – George Antoniou, Lakes Program, noted a correction in the brief; the budget section should read BHCCB vs TCCB. He also provided an estimated target date of 2024-2025 for construction depending on completion of engineering and BHCCB funding.
Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

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

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%)~~ **Rebuild Iowa’s Infrastructure Fund (100%)**

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, noted a correction to the funding source. It should be 100% RIIF.
 Motion – Commissioner Foell
 Seconded – Commissioner Kircher
 Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

15. Construction - Small Projects

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

Bid Date	Project No.	Location	County	Summary	Cost Estimate	Bids
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	\$27,420.00 \$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	\$13,765.00 \$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	\$36,477.50 \$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	\$35,115.00
4/21/22	22-05-63-01 Wildlife	West Dunreath Access Road	Marion	Reconstruction of an access road.	\$37,000	\$32,194.98 \$34,926.38 \$37,452.00 \$41,474.40 \$43,982.06 \$69,148.00

INFORMATIONAL

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.

Motion – Commissioner Hansen
 Seconded – Commissioner Foell
 Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

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.

Motion – Commissioner Underwood
 Seconded – Commissioner Hansen
 Discussion – Travis Baker, Land and Waters Bureau Chief, reported that the culverts will be made of corrugated metal pipe.
 Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

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.

Motion – Commissioner Kircher
 Seconded – Commissioner Foell
 Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

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.

Motion – Commissioner Underwood
 Seconded – Commissioner Kircher
 Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

17. General Discussion

- **NRC Discussion of Administrative Law Judge Case(s):** Commissioner Branstad opened discussion for Commissioner input to determine if there needs to be an NRC review of the ALJ case. No Commissioner requests for review were made; no action will be taken on the case.
- **June 2022 Meeting and Field Tour:**
 Commissioner Underwood, due to a personal scheduling conflict, asked if the June meeting and tour could be all done on Thursday, June 9 vs June 8th-9th. Commissioners discussed and agreed.
- **Commissioner Comments:** Commissioners shared general comments and natural resource related experiences. Commissioner Kircher inquired on the Department’s authority regarding wind turbines related to today’s public comments. Travis Baker discussed environmental reviews and DNR’s role in providing and an assessment and recommendations, and that wind turbines are under the Iowa Utility Board’s authority. Commissioner Hansen expressed interest in reviewing the non-resident hunting license structure, specifically small game, and pressure on our public lands. He formally requested the DNR bring information to the Commission about the DNR’s license structure compared to the Dakotas and include system restraints. Commissioners discussed the topic. Pete Hildreth, DA, reported he will work with staff to bring information to the next Commission meeting. The next NRC meeting is scheduled for Thursday, June 9, 2022, in the Waterloo area, Black Hawk County.

Adjournment

Motion to adjourn the meeting – Commissioner Hommel
 Second – Commissioner Prickett
 Decision - Approved by Unanimous Vote
 With no further business to come before the Natural Resource Commission, Chair Branstad adjourned the meeting on 05/12/22 at 11:30am

CARRIED – MEETING ADJOURNED

Upcoming NRC Meeting Dates

- ~~Wed, 06/08/22, 12:00pm, Business Meeting (Black Hawk County)~~
- Thu, 06/09/22, 9:00am, Field Tour, 1p Business Meeting, 3:30p Field Tour (Black Hawk County)
- Wed, 07/13/22, 9:00am, Business Meeting; Joint Meeting; Field Tour (IA DNR State Forest Nursery, Ames, IA)
- Thu, 08/11/22, 9:30am, Business Meeting (Polk County)

VISITORS/ATTENDEES - SIGN IN SHEET

FOR NATURAL RESOURCE COMMISSION MEETING HELD ON 5/12/22

PLEASE PRINT

If you wish to speak before the NRC, also complete a Public Speaker Form.

NAME ADDRESS CITY, STATE, ZIP	GROUP REPRESENTING (if applicable)	TOPIC OF INTEREST
120 sign CMS		

rec'd 5/12/22
from Bertha Mathis
re public comment

Letter to DNR Commissioners in Reference to Lost Island Wind Energy, LLC

You, DNR, are the voice of the voiceless. You have spent millions over the years to protect and increase the habitat for those that are voiceless. Now, you are silent when you are needed the most. Please, we beg of you to protect what precious wetlands and sanctuary that has been nurtured and groomed into a prize destination for Iowans. This precious area, The Prairie Pothole Migratory Route, needs to be protected and preserved for future generations.

Iowa wants 100% renewable energy. If we want wind turbines to be our dominate source of electricity, we need to do it with consideration of where we site the turbines. With all the available land in Iowa, why would we want to put them in environmentally fragile areas? There needs to be a balance between man and nature. Please think about and research this project. The Prairie Pothole Migratory Route should be protected to guarantee the continuance and safety of all the migratory birds, not just now but to ensure a legacy for future generations.

I will close with the DNR Mission Statement.

Our Mission

To conserve and enhance our natural resources in cooperation with individuals and organizations to improve the quality of life in Iowa and ensure a legacy for future generations.

Thank you for your time,
Bertha Mathis
32455 480th Ave.
Emmetsburg, IA 50536
712-298-1762

*Need 5/18/22
from Bertha Matting
re public comment*

Dewey's Pasture Wildlife Complex is a bucket list destination

The 8,000-acre Dewey's Pasture complex, in northwest Iowa, is one of the best representatives of pre-settlement grassland-wetland ecosystems in the state and one of Iowa's premier public areas.

That high-quality habitat was recognized when Dewey's Pasture was named one of Iowa's Bird Conservation Areas in 2006, citing its importance for grassland, waterfowl and shore birds. It's combination of prairies, shallow lakes, wetlands and oak savanna also supports deer, butterflies, pheasants, dragonflies, amphibians, reptiles and unique fish species.

For many of the areas that make up Dewey's Pasture, today is the good old days, thanks in no small part to more than a decade's worth of restoration work on these systems.

In 2012, the Iowa Department of Natural Resources (DNR) lowered the water level in Trumbull Lake – while receiving an assist from Mother Nature in the form of a drought – as part of its shallow lakes management plan. The lake dried out and shorebirds by the thousands covered the bed from July to September, including some rare and hard-to-find-in-Iowa birds.

Vegetation took root and when the water returned, Trumbull Lake became a completely different place – no more turbidity, no more poor water quality or lack of vegetation. The now dynamic wetland attracted yellow-headed blackbirds, grebes, ruddy ducks, redheads and more. King rails were seen here. Black terns and Forster's terns, too.

It's a popular destination for Iowa birders, with many making an annual trek to northwest Iowa to see wetland birds, said Dr. Stephen Dinsmore, interim chair, Departments of Natural Resource Ecology & Management and Entomology at Iowa State University. "It's a fun experience to get to a part of the state where wetlands dominate," Dinsmore said.

It's also attracted the fishing community as Trumbull Lake has a growing reputation for high quality yellow perch and northern pike which were reintroduced after the drawdown.

"Fish and wildlife species have responded very well to the management on Trumbull," said Rob Patterson, wildlife biologist for the Iowa DNR. "It's become a waterfowl hunting and ice fishing destination."

Improved habitat and reduced carp numbers allowed the perch and northern pike to grow more quickly and grow larger.

A few unique native fish species have also responded to the improved habitat.

Banded killifish and central mudminnows, species which have become increasingly rare in Iowa, have dramatically increased in number following the project.

The high-quality shallow lake also brought in kayakers who enjoy its calm water.

“People figured out it’s a pretty good place to go kayaking and it’s a pretty good place to learn to kayak. Restored shallow lakes offer an excellent opportunity to kayak in a natural setting and also to view wildlife,” Patterson said.

Since that initial renovation, each spring, the DNR will lower the water level exposing mudflats to promote near shore aquatic vegetation to keep the area productive.

Trumbull Lake wasn’t the only lake on Dewey’s Pasture complex that is being restored. Beginning in 2008, the Iowa DNR along with Palo Alto and Clay County Conservation Boards, Lost Island Lake Association and Ducks Unlimited partnered on a plan to get Lost Island Lake and its network of connected sloughs and marshes back to a healthy state.

The lake battled issues with poor water quality, lack of aquatic vegetation and a large population of carp that perpetuated the problems. The plan included removing more than 1 million pounds of adult carp and buffalo from the lake, installing fish barriers preventing carp from accessing the marshes to spawn, lowering water levels in the marshes to solidify the marsh bottom and promote vegetation growth, and to stock northern pike and walleyes in the main lake.

The project resulted in improved water quality, improved fishing, healthy marshes supporting wildlife and attracting migrating birds, waterfowl and other marsh wildlife.

One of the key marshes, Barringer Slough – the largest natural intact marsh in Iowa – is still in good shape, as evidenced by the presence of bladderwort, a yellow flowered aquatic plant growing near the outlet.

“Bladderwort is a sign that the marsh is in a healthy state. Ten years in to the project, that’s a good sign,” Patterson said.

Following Mother Nature’s example for managing a prairie

Patterson works with local cattle producer John Sorenson, from Graettinger, to focus grazing pressure on plants competing with the newly emerging prairie. Sorenson has 15 cow calf pairs on about 75 acres of the Holte Tract as part of a grazing practice.

“The intent is to control competition, with inter-seeding forbes into the native grass seeding,” said Patterson. “Thus far we have successfully added 40 species to the site through this management.”

Prior to becoming part of Dewey’s Pasture, the Holte Tract had at one time been used as a pasture. Sorenson has been working with the DNR for the past 6-7 years on this tract that and said it’s been working well.

“I think it’s great for me to utilize some ground that was previously in pasture,” Sorenson said. “If we can utilize that today and can benefit everybody, it works.”

Patterson fences off the cattle from one third of the Holte Tract each year in order to use prescribed fire as part of the prairie management.

Barringer’ wintering pheasant population

The dense stand of cattails at the 900-acre Barringer Slough is attractive to pheasants looking to escape winters worst, drawing huge numbers of the popular gamebird.

“Not many people will hunt that,” Patterson said. “It’s pretty daunting.”

Etcetera

- Dewey’s Pasture complex grew out of the original 500 acres of high-quality remnant prairie, that, along with Smith’s Slough, was recognized as a National Natural Landmark by the National Park Service in 1975.
- More than 230 migratory and nesting birds have been seen on Dewey’s Pasture.
- Dewey’s Pasture is a high value area to small animals like butterflies, bees and other insects living in the habitat that’s been there for thousands of years.
- Sandhill cranes have shown up and while it hasn’t been confirmed as a nesting area, experts believe its only a matter of time as sandhills are consistently nesting across north Iowa.
- The conservation community has been heavily involved in the development and management of Dewey’s Pasture. “About any project that comes up, they’re interested in helping with,” Patterson said.
- Dewey’s Pasture attracts hunters from across Iowa as well as from around the country who hunt it all season long. While not known as a deer hunting hotspot, there are nice bucks out there, but without the large tracts of timber, it’s a different type of hunting. The complex is a trapping hotbed, drawing trappers from across the state for its muskrats.
- After spending a day at Dewey’s Pasture, stop in to Bully’s Bar and Grill in Ruthven for burgers, pizza and more.



Trumpeter Swan
© Joe Jungers



Welcome to the Iowa Prairie Lakes Region

Numerous natural lakes and marshes characteristic of the prairie lakes region of Iowa provide excellent sites for bird watching as well as other outdoor recreation. These wet areas were formed by glaciers which covered this part of Iowa. Massive ice sheets scraped and scoured the land carrying gravel, rocks and giant boulders. When the temperatures warmed slightly, these glaciers melted, filled the shallow depressions they had carved out, and left their load of rocky materials behind. Small kettleholes, drumlins, eskers, and other unique geological formations remain today. Where there is water, there is abundant wildlife. Wetlands are home to more wildlife in number and variety than any other Iowa habitat. Great Blue Heron, White Pelican, Yellow-headed Blackbird, Upland Sandpiper, and Black Tern call these wetlands home. Some birds are found in the region all year long, some are summer nesters, and still others only pass through on their long migration north or south. Whether they are wet for a few weeks, or throughout all seasons, wetlands are important in providing food, nesting cover, and a place to stop and refuel on a long trip.

**Over 300 different birds can be seen in the region!
Come visit and stay for a day or a week!**

- This publication has been sponsored by:
- Clay, Dickinson, Emmet, O'Brien and Palo Alto County Conservation Boards
 - Conservation Foundation of Dickinson County
 - Iowa Audubon Society
 - Iowa Ornithologists Union
 - LaVonne & Dale Foote Fund
 - Little Sioux Valley Conservation Association
 - Northwest Bank
 - Oneota Conservation Fund
 - Palo Alto County Conservation Foundation
 - Prairie Lakes Audubon Bird Club
 - 2015 Wings & Wetlands Bird-A-Thon Participants



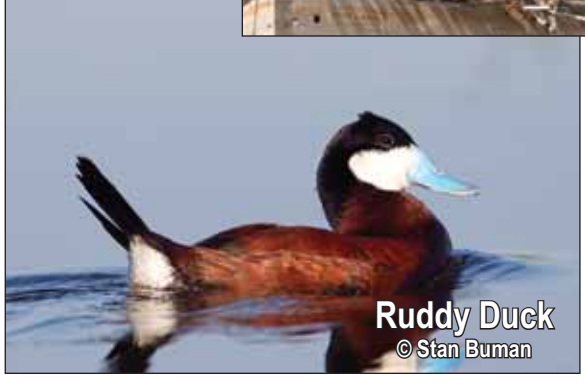
Bird Conservation Areas and Important Bird Areas **BCA**

In recent years, alarming declines in a large number of North American bird species have led to programs dedicated to the conservation of game and non-game bird species. Conservation organizations and enthusiasts have begun working together to conserve "all birds in all habitats." The Iowa Bird Conservation Area (BCA) program was established by the Iowa DNR Wildlife Bureau in 2001 as an effort to preserve and protect high-quality habitat for nesting, wintering and migratory birds. Another program - the Important Bird Area (IBA) program - is a global effort initiated by the National Audubon Society to identify and conserve areas that are vital to birds and other biodiversity. All Iowa BCAs are also designated as IBAs. Many of the areas described in this brochure are part of these efforts to manage quality bird habitat. The total acres in these Bird Conservation Areas are comprised of both public and private lands.

BCA Designates Bird Conservation Area



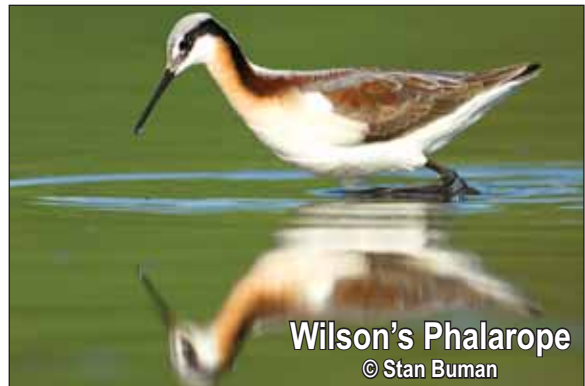
Osprey
© Joe Jungers



Ruddy Duck
© Stan Buman

1 Cayler Prairie Bird Conservation Area **BCA**
Cayler Prairie, Dugout Creek, Freda Hafner Kettlehole, Kettleston Hogsback

Found west of Okoboji, this 37,000 acre area has a focus on grassland birds. Dickcissel, Grasshopper Sparrow and Sedge Wren can be found here along with the Iowa endangered Northern Harrier. The region contains many glacial relic landscapes alive with unusual plants and animals. Keep a sharp eye out for a glimpse of the secretive Yellow Rail which may be heard or seen as it migrates through the area. Dug Out Creek, the largest marsh in the complex, offers excellent roadside viewing of abundant waterfowl and wetland species such as the Northern Pintail, Canvasback, Ruddy Duck and Redhead. Kettleston Hogsback complex may be the best birding area in northwest Iowa, if not the entire state. The area offers outstanding habitat for wetland, prairie and forest species and features a bird list approaching 300 species. Some species to look for include Western Kingbird, Swamp Sparrow, Blue-gray Gnatcatcher, Trumpeter Swan, and Black-crowned Night Heron.



Wilson's Phalarope
© Stan Buman

2 Spring Run Bird Conservation Area **BCA**

This 14,000 acre Bird Conservation Area is one of the best examples of a "prairie pothole" landscape. Numerous small wetlands and shallow lakes dominate the collection of county, state and federal lands. Area marshes house nearly every kind of water bird known to nest in Iowa such as American Bittern, Yellow-headed Blackbird, Marsh Wren and Black Tern. When water levels are low, mudflats can be dotted with migratory shorebirds. This location is a reliable place to observe American Golden Plover, Stilt Sandpiper and Wilson's Phalarope as well as many other shorebirds - both common and unusual. The abundant grassy uplands also provide a home to a wide variety of prairie species.



Yellow-headed Blackbird
© Bruce Morrison



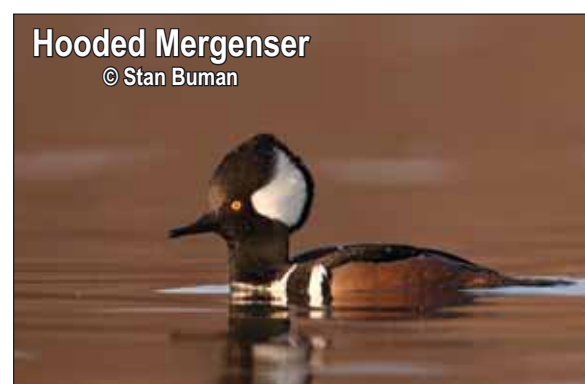
White Pelican
© Joe Jungers



Upland Sandpiper
© Joe Jungers

3 Ingham - High Wetland Complex
Anderson Prairie, Cunningham Slough, Fort Defiance State Park

Emmet County provides good examples of the diverse habitats of Northwest Iowa. Over 3,000 acres of shallow lakes and marshes can be found at the Ingham-High Lake Complex. Fort Defiance State Park, near Estherville, is a stand of dense deciduous woods covering ridges and ravines. Pileated Woodpecker and Eastern Wood Peewee nest in these woods. Prairie birds such as Bobolink and meadowlark nest at Anderson Prairie, a beautiful native tallgrass prairie. Indigo Bunting utilize the edge where grasslands meet the oak and walnut trees along the river.



Hooded Merganser
© Stan Buman



Western Grebe
© Stan Buman



Bobolink
© Bruce Morrison



Northern Harrier
© Joe Jungers

4 Dewey's Pasture Bird Conservation Area **BCA**
Barringer Slough, Blue Wing Marsh, Dan Green Slough, Kirchner Prairie, Lost Island Lake, Trumbull Lake

This prairie wetland complex crisscrosses the border of Clay and Palo Alto counties encompassing 78,000 acres of public and private land. Over 230 species of birds utilize this diverse habitat. Species of Greatest Conservation Need, such as American and Least Bittern, Black Tern, Northern Harrier, Sedge Wren, Bobolink, and Grasshopper Sparrow can be found in the area.

The Iowa DNR has completed several shallow lake management projects in this region. Fish barriers, water control structures, draw-downs, and intense carp removal have greatly improved water quality in Lost Island Lake, Trumbull Lake, and Dan Green Slough. The benefits to birds and other wildlife are evident with nesting success of water birds including Western Grebe, Common Gallinule, Least Bittern and Forster's Tern. Barringer Slough is one of Iowa's largest natural marshes with over 1,700 acres and a great site for viewing waterfowl, White Pelican, Osprey, and heron. Sandhill Crane have been confirmed nesting in the Dewey's Pasture Complex. Watch for Great-tailed Grackle, Yellow-headed Blackbird, and Black Tern at Dan Green Slough, and drive gravel roads at dawn and dusk to see Gray Partridge.

5 Waterman Prairie Bird Conservation Area **BCA**

Nestled into Iowa's Glacial Hills region, this 69,000 acre area is a unique mix of sprawling natural prairies and Bur Oak savannahs. Many birds on Iowa's list of Species of Greatest Conservation Need either nest here or use the area for important wintering grounds. It is also a stopover location on the journey of many migratory birds. Some species include Red-headed Woodpecker, Bobolink, and Field Sparrow. The location within the Little Sioux Watershed makes the area one of the best places in the state to see western bird species rare to Iowa such as the Mountain Bluebird, Townsend's Solitaire, Bohemian Waxwing, and Golden Eagle. Both Eastern and Western Meadowlark grace the prairies. Listen carefully to distinguish the "bird with two songs." This valley is a consistent place to find Bald Eagle throughout the winter and is a prime interior migration corridor for raptors in the fall.



Western Meadowlark
© Stan Buman



Bohemian Waxwing
© Joe Jungers

6 Little Sioux River Valley
Bertram, Burr, Kindlespire, Oneota Park, Wanata Park

The Little Sioux River begins its journey near the Minnesota border and flows into the Missouri River near Onawa. As you travel through this region, take note of the impressive landscape features formed by glaciers. After the last glacier receded 12,000 years ago, the Little Sioux River carved a new channel from the Spencer area heading south and west. Fast flowing waters shaped a deep, scenic valley and towering wooded bluffs. Red-shouldered Hawk and Barred Owl share these woods with Scarlet Tanager, Wood Thrush, Yellow-billed Cuckoo, and Cerulean Warbler. Many excellent birding locations can be found along this 250 mile corridor. Kindlespire Park and Burr Wildlife Area boast miles of trails that include prairie, woodland, and riverine ecosystems. Explore the scenic roads that wind through Wanata and Buena Vista County parks. Spring and fall are excellent times to find warblers and other migrating woodland birds.



Chestnut-sided Warbler
© Stan Buman



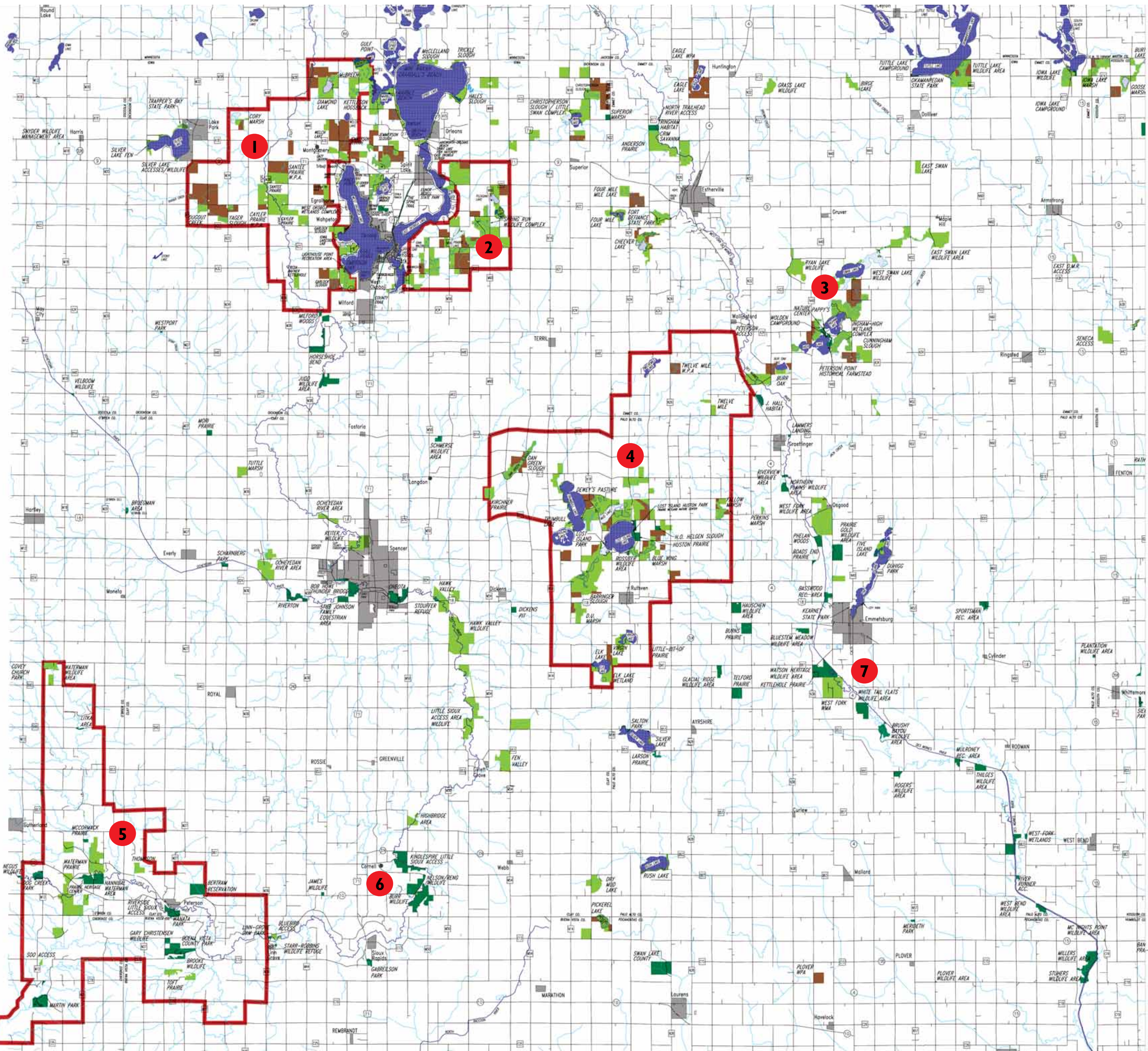
Red-headed Woodpecker
© Joe Jungers

7 West Des Moines River Corridor
Basswood, Brushy Bayou, Burns Prairie, Kettlehole Prairie, Watson Heritage Area

The West Fork of the Des Moines River both north and south of Emmetsburg offer excellent viewing of riparian species. This watershed drains east to the Mississippi River, and many private and public lands have been enrolled in the Wetland Reserve Program to protect the flood plain and provide buffer strips along the river. Wild Turkey and Bald Eagle are found nesting here. Greenbelt strips at Basswood and Brushy Bayou are great places to see eastern wood warblers during migration. Watson Heritage Area is home to the Wood Thrush and Eastern Towhee. It is also an important site for warbler migration. Be sure to walk the unique Kettlehole Prairie where you will see upland species like meadowlark and Dickcissel. Burns Prairie, a native and restored prairie with several restored wetland basins, is a great location to observe migrating shorebirds such as the American Golden Plover, Upland Sandpiper and yellowlegs.



Scarlet Tanager
© Stan Buman



LEGEND

- COUNTY PROPERTY
- STATE PROPERTY
- FEDERAL PROPERTY
- MUNICIPALITIES
- LAKES/MARSHES
- U.S. HIGHWAY SYSTEM
- STATE HIGHWAY SYSTEM
- COUNTY ROAD SYSTEM
- BCA BOUNDARIES

0 2,500 5,000 10,500
Scale Feet

IOWA

BIRDING: THE IOWA PRAIRIE LAKES REGION MAP

REFERENCES: CLAY, DICKINSON, EMMET, O'BRIEN, AND PAUL ALTO CONSERVATION BOARDS
DEPARTMENT OF NATURAL RESOURCES
DEPARTMENT OF TRANSPORTATION
DRAWING WAS ORIGINALLY DONE BY GLADIS RECHER IN 1992



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

NRC TELECONFERENCE Business Meeting – Thursday, May 12, 2022

TELECONFERENCE Meeting Convened at 9:30am			
To attend the teleconference meeting, join via			
Video Link: https://meet.google.com/sco-mbns-qva			
or			
Telephone: call 442-242-3609 PIN: 883 789 392#			
Public Participation begins at approximately 10:00 am			
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"> • NRC Discussion of Administrative Law Judge Case(s) • June 2022 Meeting and Field Tour 		
Upcoming NRC Meeting Dates			
<ul style="list-style-type: none"> • Wed, 06/08/22, 12:00pm, Business Meeting (Black Hawk County) • Thu, 06/09/22, 9:00am, Field Tour (Black Hawk County) • Wed, 07/13/22, 9:00am, Business Meeting; Joint Meeting; Field Tour (IA DNR State Forest Nursery, Ames, IA) • Thu, 08/11/22, 9:30am, Business Meeting (Polk County) 			

For details on the NRC meeting schedule, visit:
<http://www.iowadnr.gov/InsideDNR/BoardsCommissions/NaturalResourceCommission.aspx>

Comments during the public participation period regarding proposed rules or notices of intended action are not included in the official comments for that rule package unless they are submitted as required in the Notice of Intended Action.

Any person attending the public meeting and has special requirements such as those related to mobility or hearing impairments should contact the DNR or ADA Coordinator at 515-725-8200, Relay Iowa TTY Service 800-735-7942, or Webmaster@dnr.iowa.gov, and advise of specific needs.

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

Decision Item

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.

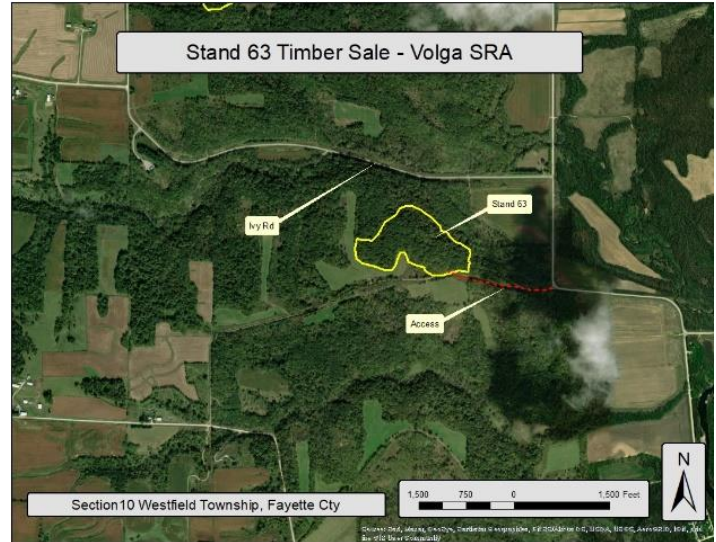
Contract Terms

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

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

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
Hawkeye Wildlife Area	Johnson
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	750 <u>500</u>
Adams	1000	Franklin	0	Monroe	2250 <u>2500</u>
Allamakee	3800	Fremont	1000 <u>0</u>	Montgomery	500
Appanoose	2700	Greene	0 <u>100</u>	Muscatine	900
Audubon	0	Grundy	0	O’Brien	0
Benton	325	Guthrie	2150 <u>2350</u>	Osceola	0
Black Hawk	0	Hamilton	0	Page	500 <u>300</u>
Boone	300 <u>400</u>	Hancock	0	Palo Alto	0
Bremer	300	Hardin	0	Plymouth	0
Buchanan	400	Harrison	750 <u>500</u>	Pocahontas	0
Buena Vista	0	Henry	1050	Polk	1350
Butler	200	Howard	450	Pottawattamie	750 <u>500</u>
Calhoun	0	Humboldt	0	Poweshiek	200
Carroll	0	Ida	0	Ringgold	1400 <u>1600</u>
Cass	400 <u>300</u>	Iowa	450	Sac	0
Cedar	775	Jackson	1100	Scott	200

County	Quota	County	Quota	County	Quota
Cerro Gordo	0	Jasper	575 <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	2100 <u>2300</u>
Crawford	0	Linn	850	Wapello	1600
Dallas	2100	Louisa	775	Warren	3000
Davis	1700 <u>1900</u>	Lucas	2500	Washington	1000
Decatur	2200 <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	200 <u>0</u>
Emmet	0	Mills	300 <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**

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:

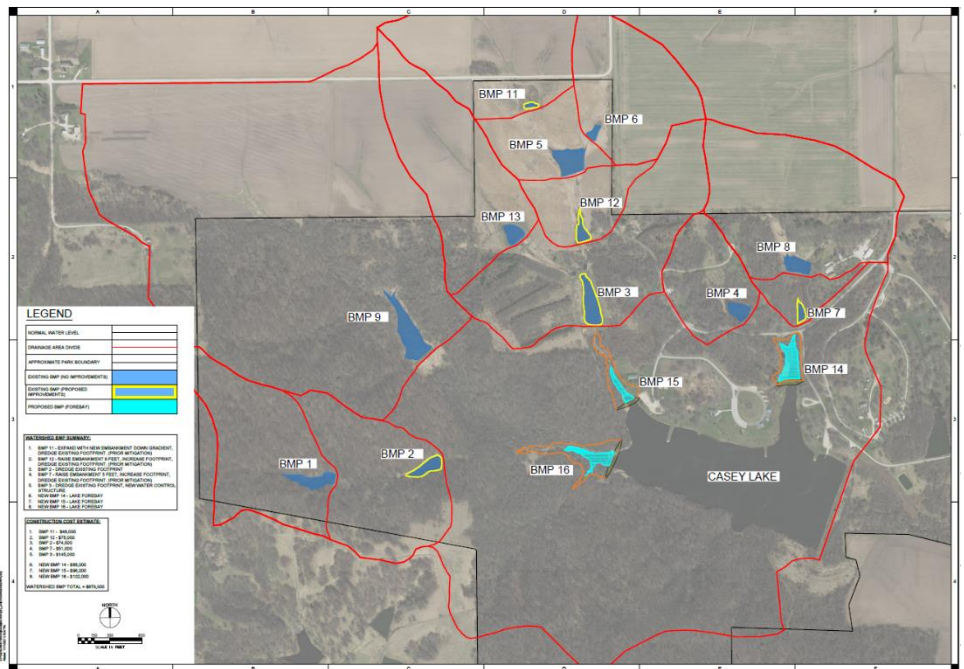
Amount: Not to exceed \$284,325

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)

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:

Bid Date	Project No.	Location	County	Summary	Cost Estimate	Bids
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	\$27,420.00 \$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	\$13,765.00 \$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	\$36,477.50 \$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	\$35,115.00
4/21/22	22-05-63-01 Wildlife	West Dunreath Access Road	Marion	Reconstruction of an access road.	\$37,000	\$32,194.98 \$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

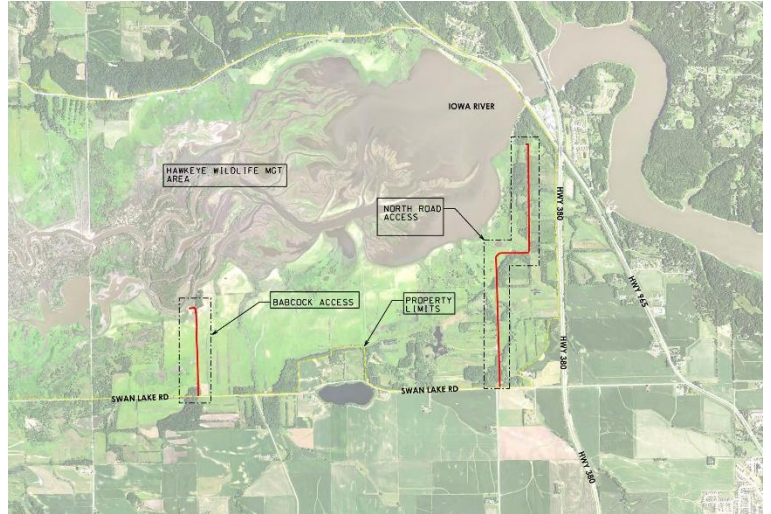
Operating Bureau: Wildlife

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