

Agenda

Natural Resource Commission

Thursday, October 12, 2023

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

Video Conference: meet.google.com/sco-mbns-qva

502 E 9th St, Des Moines, Iowa 50319

DNR 2N Conf Room

Thursday, October 12, 2023

9:30 AM – NRC Business Meeting

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

1.	Approval of Agenda Consent Agenda (*within agenda indicates proposed consent agenda item) *10. Timber Sale Contract with Yoder Sawmill, LLC-Stephens State Forest *11. Timber Sale Contract with Kendrick, Inc.-Pikes Peak State Park *12. Timber Sale Contract with Ben Bruggeman-Yellow River State Forest	Decision	Commission
2.	Approval of the Minutes	Decision	Commission
3.	Director's Remarks	Information	Kayla Lyon
4.	Division Administrator's Remarks	Information	Pete Hildreth
5.	Donations	Decision	Pete Hildreth
6.	Contract with the Iowa Economic Development Authority	Decision	Todd Bishop
7.	REAP City Parks and Open Space Grants (FY24)	Decision	Michelle Wilson
8.	REAP County Grants (FY24)	Decision	Michelle Wilson
9.	REAP Private/Public Cost-Share Grants (FY24)	Decision	Michelle Wilson
*10.	Timber Sale Contract with Yoder Sawmill, LLC-Stephens State Forest	Decision	Jeff Goerndt
*11	Timber Sale Contract with Kendrick, Inc.-Pikes Peak State Park	Decision	Jeff Goerndt
*12	Timber Sale Contract with Ben Bruggeman-Yellow River State Forest	Decision	Jeff Goerndt
13.	Timber Sale Contract with Meister Log and Lumber Co.-Yellow River State Forest	Decision	Jeff Goerndt
14.	Contract with Black Hawk County Conservation Board (Casey Lake)	Decision	Travis Baker
15.	Small Construction Projects-Sweet Marsh WMA Road Repair, Shell Rock Bend WMA Road Maintenance and Culvert Replacement/Install	Information	Travis Baker
16.	Large Construction Projects	Decision	Travis Baker
16.1	Casey Lake Restoration-Tama County	Decision	Travis Baker
16.2	Red Rock WMA/Lake Keomah, Road Maintenance (Marion, Warren and Mahaska Counties)	Decision	Travis Baker
16.3	Tieville Bend, Pump Replacement-Monona County	Decision	Travis Baker
17.	Land Acquisition	Decision	Travis Baker
17.1	Rolling Hills Wildlife Management Area, Madison County-Iowa Natural Heritage Foundation	Decision	Travis Baker
17.2	Otter Creek, Fayette County-Boyer	Decision	Travis Baker
18.	Chapter 19, "Forfeited Property"-Notice of Intended Action (rescissions)	Decision	Craig Cutts
19.	Chapter 18, "Rental Fee Schedule for State-Owned Property, Riverbed, Lakebed, and Waterfront Lands"; Chapter 19, "Sand and Gravel Permits"-Notices of Intended Action (rescissions)	Decision	Travis Baker
20.	Chapter 29, "Local Recreation Infrastructure Grants Program"-Notice of Intended Action (rescissions)	Decision	Tamara McIntosh

21.	Chapter 32, "Private Open Space Lands"-Notice of Intended Action (rescissions)	Decision	Todd Bishop
22.	General Discussion		
<p>Upcoming NRC Meeting Dates</p> <ul style="list-style-type: none"> ● Thursday, November 9, 2023, Wallace Building ● Thursday, December 14, 2023, Wallace Building 			

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.

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

**MINUTES OF THE
NATURAL RESOURCE COMMISSION
MEETING**

September 14, 2023

**Video Teleconference
and
Wallace State Office Building**

Approved by the Commission **TBD**

DRAFT



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Kayla Lyon, Director

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Meeting Minutes

CALL TO ORDER

The meeting of the Natural Resource Commission (Commission or NRC) was called to order by Chairperson Marcus Branstad at 9:30am on September 14, 2023, via a combination of in-person and video/teleconference attendees. General Counsel Tamara McIntosh stated for the record that the requirements of Iowa Code section 21.8 were met for the NRC meeting to take place virtually due to the anticipated brevity of the agenda.

COMMISSIONERS PRESENT

- Laura Foell (virtual)
- Tammi Kircher
- Tom Prickett
- Marcus Branstad (virtual)
- Laura Kudej

COMMISSIONERS ABSENT

- Uriah Hansen
- KR Buck

PUBLIC PARTICIPATION

None

APPROVAL OF AGENDA AND CONSENT AGENDA

The consent agenda included the following agenda items:

- 2023-2024 Deer Management Zone Hunt (Springbrook State Park)
- Contract with Pheasants Forever, Inc.
- Contract Amendment 2 with Spee Dee Delivery Service, Inc.
- Contract Amendment 4 with Iowa State University
- Timber Sale Contract with RJ Lumber, L.L.C. for Shimek State Forest
- Public Land Management Projects (15.1-15.3)

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

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

AGENDA AND CONSENT AGENDA APPROVED AS PRESENTED

OATH OF OFFICE FOR NEW COMMISSIONER

Director Kayla Lyon swore in Laura Kudej to the Commission.

APPROVAL OF MINUTES

Motion was made by Laura Foell to approve the August 17, 2023 NRC minutes as presented. Seconded by Laura Kudej.

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

APPROVED AS PRESENTED

DIRECTOR’S REMARKS

- Director Lyon shared results of the DNR poll from the Iowa State Fair which asked visitors how they like to spend their time outdoors. Camping topped the charts at 18% followed by hiking and fishing which both received 17% of the votes.
- Director Lyon took time to thank the campground hosts that served within the Iowa State Parks system for the 2023 Spring and Summer camping season. She highlighted that the longest serving campground host has served for 20 years.
- Director Lyon wrapped up her remarks by providing an update on the Boards and Commissions Review Committee and their recommendations to the Legislature and the Governor’s office. Their final report is due at the end of September.

DIVISION ADMINISTRATOR’S REMARKS

- Division Administrator Pete Hildreth started his remarks by providing an update on the drought and low rainfall over the past several months in Iowa. Due to the low rainfall, the pump usage at Riverton and Otter Creek has been affected creating lower water levels. Mr. Hildreth encouraged hunters to scout their hunting locations to check for water levels before they go out.
- Mr. Hildreth gave an overview of the upcoming REAP assemblies, REAP grant funding and the upcoming REAP Congress that will be held in January of 2024 at the Capitol building.
- Mr. Hildreth finished his remarks by announcing the statewide volunteer day on September 23, which is the same day Governor Reynolds will be issuing the National Hunting and Fishing Day in Iowa proclamation.

DONATIONS

Pete Hildreth requested Commission approval of donations received by the Department from the following individuals and organizations:

Donna Hawkins	Jenny Mertes
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Public Comments – None

Written Comments – None

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

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

APPROVED AS PRESENTED

BUDGET REQUEST

Jennifer Nelson requested Commission approval of the FY25 Department budget request.

Public Comments – None

Written Comments – None

Motion was made by Tom Prickett to approve the item as presented. Seconded by Laura Foell.

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

APPROVED AS PRESENTED

CONTRACT WITH DUCKS UNLIMITED (EAGLE LAKE)

Kelly Smith requested Commission approval of a contract amendment with Ducks Unlimited for the enhancement of Eagle Lake. Commissioner Tammi Kircher abstained from voting due to her involvement with Ducks Unlimited.

Public Comments – None

Written Comments – None

Motion was made by Laura Foell to approve the item as presented. Seconded by Laura Kudej.

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

APPROVED AS PRESENTED

WAPSIPINICON STATE PARK, CULVERT AND BRIDGE REPAIR-JONES COUNTY

Travis Baker requested Commission approval to repair the historical bridge and culvert within Wapsipinicon State Park.

Public Comments – None

Written Comments – None

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

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

APPROVED AS PRESENTED

RED HAW STATE PARK, DESIGN GUIDE SHELTER-LUCAS COUNTY

Travis Baker requested Commission approval to construct a design guide shelter at Red Haw State Park. Mr. Baker explained that the concession stand at the park closed in 2019 and did not reopen as the structure is no longer viable.

Public Comments – None

Written Comments – None

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

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

APPROVED AS PRESENTED

GOOSE LAKE WILDLIFE MANAGEMENT AREA, BOAT ACCESS AND WATER CONTROL STRUCTURE-CLINTON COUNTY

Travis Baker requested Commission approval to construct a new gravel access road, gravel parking lot and boat ramp on the south side of the marsh at the Goose Lake Wildlife Management Area.

Public Comments--None

Written Comments – None

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

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

APPROVED AS PRESENTED

LAKE AHQUABI STATE PARK, POND OUTLET REPLACEMENT-WARREN COUNTY

Travis Baker requested Commission approval to replace an existing spillway pipe for the pond at Lake Ahquabi State Park.

Public Comments – None

Written Comments – None

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

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

APPROVED AS PRESENTED

CONTRACT WITH BLACK HAWK COUNTY CONSERVATION BOARD (CASEY LAKE)

George Antoniou requested Commission approval for a contract with the Black Hawk County Conservation Board to retain the consultant to provide engineering services for the restoration of Casey Lake.

Public Comments – None

Written Comments – None

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

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

APPROVED AS PRESENTED

CONTRACT WITH THE POWESHIEK COUNTY CONSERVATION BOARD (DIAMOND LAKE)

George Antoniou requested Commission approval for a contract with the Poweshiek County Conservation Board to retain a consultant to provide engineering services for the restoration of Diamond Lake Park.

Public Comments – None

Written Comments – None

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

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

APPROVED AS PRESENTED

GENERAL DISCUSSION

- Each Commissioner shared their summer activities and outdoor activities they are looking forward to this fall. Commissioner Prickett requested an update on the Council Bluffs OHV park in the near future. Commissioner Kircher highlighted the Federal Duck Stamp competition in Des Moines and shared a recap of the Otter Creek tour she attended that was cohosted by the Department and Ducks Unlimited. Commissioner Foell announced her recent election to the Iowa Corn Growers Association.

ADJOURN

The Chairperson adjourned the Natural Resource Commission meeting at 10:47 am on September 14, 2023.

ADJOURNED

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

Decision Item

Item 5.

Donations

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

Donation to:	Amount	Description	Donation Provided by:
Wildlife Diversity Fund	\$3,400.00	Antennas, coax, and a receiver for a Motus wildlife telemetry station.	Glenn Pollock
Wildlife Diversity Fund	\$350.00	Donation for the conservation of Non-game species through the Wildlife Diversity Fund.	William and Jane Overland
Clear Lake State Park	\$2,565.00	Nine (9) dump truck loads of sand delivered to the Clear Lake State Park-Ritz Property.	Chris Dinsdale
Fish and Wildlife Trust Fund	\$20.00	Donation to the Fish and Wildlife Trust fund in memory of George Dean Umphrey.	American Legion Auxilliary
Hawkeye Wildlife Management Area	\$1,802.06	Donation for targets at the Hawkeye Wildlife Management Area archery range.	Whitetails Unlimited Inc.
Fish and Wildlife Trust Fund	\$250.00	Donation to the Fish and Wildlife Trust Fund in honor of Charles M. MacLearn.	Brian MacLearn
Clear Lake State Park	\$651.59	Skid loader and trailer and labor involved with moving the sand around on the Ritz beach at Clear Lake State Park.	Mike and Lora Jans; Steve and Mary Richardson; Bill and Candy Engstler
Parks and Forestry Fund	\$150.00	Donation to the Parks and Forestry Fund.	Jason Schmitt
Wildlife Diversity Fund	\$100.00	Donation to the Wildlife Diversity Fund.	Jason Schmitt
Fish and Wildlife Trust Fund	\$100.00	Donation to the Fish and Wildlife Trust Fund in memory of Mark Alan Schwark.	Patricia Cole
Fish and Wildlife Trust Fund	\$100.00	Donation to the Fish and Wildlife Trust Fund in memory of Robert Lee Goldman - 10/24/1927 – 9/4/2023.	Dan Karthas
Fish and Wildlife Trust Fund	\$100.00	Donation to the Fish and Wildlife Trust Fund in memory of Robert (Bob) Lee Goldman.	Anh Kadotani
Fish and Wildlife Trust Fund	\$100.00	Donation to the Fish and Wildlife Trust Fund in memory of Dan Oder.	Beverly Betz (Steve, Emily And Brandon And Family)
Fish and Wildlife Trust Fund	\$25.00	Donation to the Fish and Wildlife Trust Fund in honor of Joe Keller.	Bonnie Cook

Pete Hildreth, Division Administrator
Conservation and Recreation Division
NRC Meeting Date: October 12, 2023

Iowa Department of Natural Resources
Natural Resource Commission

Decision Item

6. Contract with the Iowa Economic Development Authority

Commission approval is requested for a contract with the Iowa Economic Development Authority (IEDA), of Des Moines, Iowa.

Contract Terms

Amount: - 0 -

Dates: October 16, 2023 to August 15, 2025

Contract Purpose: The Department of Natural Resources' (DNR) purpose in entering into this Cooperative Agreement is to meet Iowa Code 303.2 – 2a(1) legal requirements for buildings identified as eligible for listing on the national register of historic sites by entering into a 28E agreement to ensure the proper management, maintenance, and development of the buildings. IEDA's purpose in entering into this Cooperative Agreement is to meet Iowa Code 303.2 – 2a(1) legal requirements by administering the care for historical sites under the authority of the division and entering into a 28E agreement to ensure the proper management, maintenance, and development of the buildings.

The agreement will define mitigation efforts to resolve the adverse effect from demolishing dilapidated buildings at the Cloverwood 4H Camp. The demolition of these buildings will alleviate staff and public health and safety concerns associated with the use of the buildings.

The major components of the agreement include:

- DNR will submit an interpretive display proposal to IEDA that includes information about the history and use of the camp for review and comment.
- DNR will take IEDA recommendations into consideration for final design if any are provided.
- DNR will construct the interpretive display at the parking lot entrance to the Wildlife Management Area.
- DNR will provide IEDA with verification that the interpretive display has been constructed.
- IEDA will review and comment on the DNR provided interpretive display proposal.
- Once the display is constructed, IEDA will provide concurrence that the constructed interpretive display meets the specifics outlined in the 28E agreement.

Selection Process Summary: This agreement is authorized under Iowa Code Chapter 28E.

Todd Bishop, Wildlife Bureau Chief
Conservation and Recreation Division
NRC Meeting Date: October 12, 2023

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

Decision Item

7.

REAP City Parks and Open Space Grants (FY24)

The Department requests Commission approval of the recommendations from the Project Review and Selection Committee for REAP City Parks and Open Space Grants as directed by Iowa Administrative Code 571, Chapter 33.

Grant Purpose: The City Parks and Open Space account receives 15% of the REAP funds, after initial distributions are made as outlined in Chapter 33, for competitive grants to help cities establish natural areas, encouraging outdoor recreation and resource management. Three categories have been established to assure grants are distributed to all sizes of cities. Projects considered include development of parks, multi-purpose trails (emphasis on connecting existing trails), park shelters, lake or river shoreline restoration, fishing access, and habitat restoration.

Funding Source(s): Resource Enhancement And Protection Fund – City Park and Open Spaces

Grant Funding Available:

Category	City Population	Funding Available
Small Cities	less than 2,000	\$285,054
Medium Cities	between 2,000 and 25,000	\$684,129
Large Cities	larger than 25,000	\$931,176

Selection Committee Members: As directed by Chapter 33, a review and selection committee consisting of one DNR staff member and three city appointees (Ames, Elkader and Carlisle) and an at-large representative from Iowa Economic Development Authority's Great Places to evaluate and rank project applications.

Summary of Selection Process: As directed by criteria under Chapter 33.40, the selection committee reviewed and scored all applications. Examples of criteria considered include the relationship to relevant regional and statewide programs based on comprehensive plans (i.e. SCORP, County Resource Enhancement Plan, or local, state and federal plans), quality of site for land acquisition projects, environmental benefits, public benefit, and local support.

Recommendation: The committee recommends funding the projects listed in the Project Allocation. In the event that any of the grantees are unable to execute their project, the Department requests authority to offer those funds to the next highest scored projects that meet the grant criteria or return the funds to the grant program for distribution in the next grant cycle.

ALLOCATION SUMMARY				
CATEGORY	AMOUNT REQUESTED	AMOUNT RECOMMENDED	# OF PROJECTS SCORED	PROJECTS RECOMMENDED FOR FUNDING
SMALL CITIES TOTALS	\$1,095,400	\$285,054	18	5
MEDIUM CITIES TOTALS	\$1,504,682	\$684,129	16	9
LARGE CITIES TOTALS	\$983,600	\$931,176	5	5
DISTRIBUTION TOTALS	\$3,583,682	\$1,900,359	39	19

PROJECT ALLOCATIONS

REAP City Parks Open Spaces - SMALL CITIES - Population under 2,000

Ranked by Score	City Applicant	Project Name	Project Description	Grant Amount Requested	Recommended Award
93.6	City of Hills	Songbird Sanctuary Park	The proposed Songbird Sanctuary Park will transform an under-utilized property into space dedicated to birds and relaxation. The project includes the following features: tree and shrub planting that will attract songbirds, walking path, bike rack, benches and a covered shelter.	\$50,000	\$50,000
92.2	City of Winthrop	Winthrop City Park Enhancement	This project will complete the last phase of a Winthrop City Park Enhancement effort with the construction of a concrete pad, a shelter with ADA-accessible restrooms, picnic tables, and the planting of additional trees to diversify the park's tree inventory.	\$50,000	\$50,000
89.6	City of Dunlap	Pleasant View Trailhead and Park Improvements	This project is for funding to update the current restrooms and shelter houses to be solar-powered, add shade trees around the new playground, widen the pedestrian bridge on the walking trail, and add solar-powered path lights.	\$75,000	\$75,000
86	City of Springville	Emmons Park Phase Three Expansion	Phase III of Emmons Park includes installing a second 1/4-mile multi-use ADA-compliant paved trail to provide access to all park amenities (existing and future) and a multi-use open recreation area.	\$75,000	\$75,000
85.4	City of Conrad	Conrad South Main Trail Extension	The proposed project will extend Comet Trail to the South on Main Street, including the development of a trailhead on the north side of Wolf Creek. The trailhead would be constructed of natural elements and create a natural space for resting, relaxing, picnicking, and environmental education.	\$75,000	\$35,054 (pending)
83.8	City of St. Ansgar	START Saint Ansgar Recreational Trail expansion	This project consists of the construction of a 10'-wide, PCC-paved trail extension connecting its western residential neighborhoods to the local Saint Ansgar School facilities and community facilities, known as the Saint Ansgar Recreational Trail expansion (START trail expansion).	\$75,000	-0-
83.6	City of Logan	Safe Routes to School & Recreational Trails-Phase 01	Initial phase of implementation for Logan's first-ever city-wide trail system. This phase of implementation intends to address the most significant community concern regarding pedestrian movement in Logan, which is the lack of connectivity between the majority of Logan residents and the Logan-Magnolia Community School District.	\$75,000	-0-
83.6	City of Volga	Walking Trail and River Bluffs Reflection Park Improvement Project	This project will include installation of handicap accessible approaches to all sidewalks along the walking trail from River Bluffs Reflection Park to the Main City Park on Washington Street. The project will also include bank stabilization and river access improvements at the River Bluffs Reflection Park.	\$50,000	-0-
81.2	City of Earling	Schimerowski Recreation Area Trail Paving Project	This project is for the widening and improvement of an existing narrow gravel path at Schimerowski Recreation Area. This gravel path will be widened and improved to an 8-ft. wide multi-use trail paved with Portland Cement Concrete. This segment will loop the trail around the park's pond and wetland.	\$50,000	-0-
79.4	City of McClelland	City Park - Restroom Facility Upgrade	The outdated pit latrine in McClelland City Park will be replaced with a modern, ADA compliant restroom including running water, septic system, and hand	\$70,400	-0-

			washing station. This improvement will provide increased accessibility, sanitation, and opportunity for hand hygiene to park visitors.		
79.2	City of Maxwell	Heart of Iowa Trail Connection	This project is to hard surface the Heart of Iowa Nature Trail starting at the South Skunk River near Cambridge, through Maxwell, and ending at Collins. The City is requesting aid to offset the cost of trail paving and fruit tree installation in Legion Park from Broad Street to the existing closed-spandrel arch bridge over Rock Creek. The aspiration of this effort is to create an edible trail connection that enhances access to historical and natural areas.	\$50,000	-0-
78.6	City of Luxemburg	Green, Open Spaces: Ensuring Accessible Safe Trails for Exploration & Recreation	Construction of a trail along the park outskirts and surrounding roads.	\$50,000	-0-
76.4	City of Marcus	Marcus Trail Plan-Phase I	Construction of a 1.4 mile, multi-use recreational trail to connect residential neighborhoods that are currently lacking sidewalks to amenities such as the elementary and high school campus, Little League athletic fields, high school football and baseball field, and swimming pool.	\$75,000	-0-
74.4	City of Peosta	Kelly Oaks Park Pavilion	This project is for construction of a pavilion. The pavilion will have areas for outdoor seating, picnicking, or just an area for people to rest and enjoy the beauty of the park. The interior will be a rental space that will provide ample seating, electrical, and refrigerator.	\$75,000	-0-
71.8	City of Dunkerton	The Future Home of Queen Dunkerton Educational Village	Development of a historical village including two one room schools, a train depot, and a chapel.	\$50,000	-0-
63	City of Harcourt	Harcourt Revitalization Project	This project is to replace the roof on the historic community building.	\$50,000	-0-
54.8	City of Rutland	Rose Mill Park Shelter House	This project is to build a shelter house at Rose Mill Park to include bathrooms, showers, indoor/outdoor picnic area, and a small kitchenette.	\$50,000	-0-
51.2	City of Underwood	Recreational Trail - Final Phase	This final phase would complete the trail through the city limits of Underwood. This project is linked to the trail from Council Bluffs to Underwood.	\$50,000	-0-
SMALL CITIES TOTAL				\$1,095,400	\$285,054

REAP City Parks Open Spaces - MEDIUM CITIES - Population between 2,000 and 25,000

Ranked by Score	City Applicant	Project Name	Project Description	Grant Amount Requested	Recommended Award
111.2	City of Lisbon	Pleasant Grove Heritage Park Prairie Reconstruction	This project will reconstruct 10 acres of diverse tallgrass prairie in the new Pleasant Grove Heritage Park within the City of Lisbon. This prairie reconstruction will create a more enjoyable green space and contribute to improved water quality in the greater Cedar River watershed, and enhance wildlife habitat, particularly for insects and songbirds.	\$11,900	\$11,900

108	City of Perry	Frog Creek Campground Land Acquisition	This project is to acquire approximately 17 acres adjacent to Frog Creek and the Raccoon River Valley Trail for the future development of a Campground.	\$100,000	\$100,000
100.4	City of Fairfield	Pleasant Lake Habitat Restoration	Improve the land with active habitat management.	\$71,903	\$71,903
98.8	City of Monticello	Monticello Hwy 151 Trail Expansion - Phase 1	Funding to purchase 8 acres of land adjacent to Highway 151, to expand paved trails in the community. The expansion will enable individuals of all ages and abilities to enjoy the beauty of the outdoors while supporting environmental conservation and community well-being.	\$100,000	\$100,000
93.2	City of Grimes	Wallace Farm Park	Phase I: Grading and Trails for the development of a new destination park including grading the entire site and the installation of approximately 2 miles of recreational trails.	\$125,000	\$125,000
92.8	City of Milford	Clay County Connection Phase II	Phase II of Clay County Connection involves 2 miles of recreational trail that starts at County Hwy. A48 and travels south in the west right of way of Highway 71 to County Hwy. A43. This is the middle segment of a 4.5-mile project that will complete the trail connection between Dickinson and Clay counties. It is part of the Iowa Great Lakes Connection, an Iowa trail of statewide significance that spans 135 miles and connects several lakes and existing trails in Northwest Iowa.	\$75,000	\$75,000
89.4	City of Eldora	Memorial Park Trail - Connecting the Iowa River Valley	Multi-phased project that will provide access from the upper portions of Memorial Park to and along the Iowa River through the construction of a trail.	\$75,000	\$75,000
87	City of Polk City	Connecting the Neal Smith Trail to the High Trestle Trail through Polk City	Construct a multi-use trail connection from the Neal Smith Trail to the High Trestle Trail through Polk City. The total project will construct 3 miles of 10' multi-use trail through Polk City, connecting 2 major Central Iowa trail systems.	\$100,000	\$100,000
86.2	City of Fort Madison	Connecting Fort Madison! Phase IV - 48th Street Connector Trail	The fourth in a multi-phase trail construction effort on the west side of Fort Madison, this project involves a new 0.4-mile segment of 10-foot wide trail along 48th Street between Avenue L and River Valley Road. It will close a strategic gap between two recently built trail segments, resulting in a continuous trail system that provides access to Ivanhoe Park, the Baxter Sports Complex, Fort Madison Middle School, and the Southeast Iowa Regional Medical Center.	\$125,000	\$25,326 (pending)
86	City of Clive	Clive Greenbelt to Raccoon River Valley Trail Connection	Regional trail connection between the Raccoon River Valley Trail and the Clive Greenbelt Park and trail system. The project will further extend the Raccoon River Valley Trail along Hickman Road from the current construction project to a new tunnel under Hickman Road, the trail will continue south along interstate right-of-way to connect to the Clive Greenbelt Trail near Walnut Creek.	\$125,000	-0-
80.8	City of Bondurant	Downtown Extension of the Chichaqua Valley Trail	Acquisition of a parcel consisting of a former railroad right-of-way located on the Landus Redevelopment Opportunity Site and construction of the future downtown trail extension of the Chichaqua Valley Trail through the heart of downtown Bondurant.	\$100,000	-0-

80.6	City of Burlington	Flint River Trail Connection in Riverside Park	This project will connect the Flint River Trail from the west side of Front Street to the trail in Riverside Park along the Mississippi River. A railroad crossing will be installed to allow safe bike and pedestrian passage from the park to the trail that leads up along Bluff Road.	\$90,500	-0-
79.4	City of LeClaire	Huckleberry Trail Clean Up	Huckleberry Park has a trail that is becoming cluttered with dead trails, branches, and other vegetation that makes the trail difficult to walk. Some areas have full trees in the middle of the path. This project would declutter, prune, and removal all obstructions of the path. Educational signage would also be added to the path, to educate on the watershed.	\$10,020	-0-
79	City of DeWitt	Paul Skeffington Memorial Trail Extension	The proposed project is an addition of approximately .33 miles of 10-foot wide HMA trail that will connect to the existing Paul Skeffington Memorial Trail in Westbrook Park. The trail will connect the residential/commercial areas of Westwood Drive to the rest of the City.	\$100,000	-0-
78.4	City of Mount Vernon	Bryant Park Trail - East to Cornell College	Establish a trail connection between our rural community and the Interurban Trail system, with a trailhead established at Bryant Park.	\$195,359	-0-
78.2	City of Glenwood	Hiley Park Improvements	Improve the quality, safety, and accessibility to the playground at Hiley Park by replacing a retaining wall that is used to manage hill erosion and water movement, updating the parking area to improve water drainage in the area and making the playground surface accessible to differently-abled children including those in wheelchairs.	\$100,000	-0-
MEDIUM CITIES TOTAL				\$1,504,682	\$684,129

REAP City Parks Open Spaces - LARGE CITIES - Population larger than 25,000

Ranked by Score	City Applicant	Project Name	Project Description	Grant Amount Requested	Recommended Award
100	City of West Des Moines Parks and Recreation	Raccoon River Greenway - 1st Street River Access	New river access point along the Raccoon River with parking, a watercraft loading zone, a trailhead with site amenities, cast-in-place concrete launch, site lighting, and signage.	\$200,000.0	\$200,000
99.6	City of Des Moines Parks & Recreation	Gray's Lake Park Paddlecraft Marina Development	Development of a new and improved paddlecraft marina to replace the existing damaged and degraded marina at Gray's Lake, a regional destination park. Beyond the marina there will also be constructed a viewing deck, securable storage near the shoreline, native plantings, and more.	\$300,000.0	\$300,000
94.6	City of Iowa City	Ashton House Project GREEN Gardens	Site improvements at the Ashton House Project GREEN Gardens including tree and prairie plantings; bicycle racks and repair station; drinking fountain; water source; grill/fire ring; bird blind; trail spurs; benches; plant identification signs; and bollard lighting.	\$200,000	\$200,000
92.8	City of Urbandale	Walnut Creek Regional Park Regional Trail and	This 1,367 LF trail will provide a critical connection to the main north/south trail spine (Bob Layton Trail) through the 200 acres	\$150,000.0	\$150,000

		Bridge Project	Walnut Creek Regional Park (WCRP), as well as to the Clive regional trail system. This project will include a 110 LF bridge over Walnut Creek and provide a connection which leads to the 156th Street Trail, Meredith Drive Trail, Douglas Parkway Trail, Clive Greenbelt Trail, the Racoon River Valley Trail, and neighboring communities.		
90.6	City of Ottumwa	Trail Connector into Ottumwa Park	Construction of a trail section from the intersection of Richmond Avenue and Ferry Street, running parallel to Ferry/Wapello St. (north) into Ottumwa Park. This trail, Phase I of a two-phase project, will provide Ottumwa's south side neighborhoods safe access into the park. Once users are in the park, they can access trails both inside the park and on Ottumwa's trail system along the Des Moines River.	\$133,600.0	\$81,176 (pending)
LARGE CITIES TOTAL				\$983,600	\$931,176

Michelle Wilson, REAP Coordinator
Conservation and Recreation Division
NRC Meeting Date: October 12, 2023

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

Decision Item

8.

REAP County Grants (FY24)

The Department requests Commission approval of the recommendations of the Project Review and Selection Committee for REAP County grants as directed by Iowa Administrative Code 571, Chapter 33.

Grant Purpose: The county conservation account receives 20% of the REAP funds. After initial distributions outlined in Chapter 33, 40% of the remaining funds are available for competitive grants to counties for increasing outdoor recreation opportunities, land protection, capital improvements, stabilization and protection of resources, repair and upgrading of facilities, environmental education, and equipment. This money is available to counties, only if they are dedicating at least 22¢ per \$1,000 of the assessed value of taxable property in the county for county conservation purposes.

Funding Source(s): Resource Enhancement And Protection Fund – County Conservation Account

Grant Funding Available: \$750,000

Selection Committee Members: As directed by Chapter 33, a review and selection committee consisting two DNR staff and three non-DNR appointees (Woodbury, Louisa, and Des Moines County Conservation Boards) to evaluate and rank project applications:

Summary of Selection Process: As directed by criteria under Chapter 33.30, the selection committee reviewed and scored all applications. Examples of criteria considered include quality of site and project, public need, urgency of project, multiple use potential, and economic benefit.

Recommendation: The committee recommends funding for two projects listed in the table. In the event that any of the grantees are unable to execute their project, the Department requests authority to offer those funds to the next highest scored projects that meet the grant criteria or return the funds to the grant program for distribution in the next grant cycle.

REAP County Projects					
Ranked by Score	County Applicant	Project Name	Project Description	Grant Amount Requested	Recommended Award
139.2	Pottawattamie	Hitchcock Nature Center Addition	The 93-acre Ferguson property, adjacent to the Hitchcock Nature Center, consists of high-quality remnant prairie, bur oak savanna, and cropland recently enrolled in the Conservation Reserve Program. The property has seven species listed on the state threatened and endangered species list.	\$450,000	\$450,000
135.4	Lucas	Chariton River Greenbelt Addition	This acquisition will add 365-acres to the Chariton River Greenbelt which will provide a contiguous corridor of river protection totaling 35,397 acres, making it the second largest contiguous greenbelt in Iowa and protection for the Rathbun Reservoir.	\$767,000	\$300,000 (pending)

129.8	Benton	Wildcat Bluff Recreation Area Addition	The acquisition of 190.95 acres of upland, riparian timber, floodplain lowland, and riverbank habitat along the Cedar River, adjacent to the existing 134-acre Wildcat Bluff Recreation Area. This property contains 122 acres of untouched native sod, potential prairie remnants, and the first recorded burial mound in Benton County.	\$893,000	-0-
129.6	Dickinson	Little Sioux Savanna Addition	This project is for the acquisition of 161 acres adjacent to the County owned Little Sioux Savanna, preserving a rare oak savanna and protecting almost one-half mile of the Little Sioux River. The addition will allow for ecosystem protection, habitat conservation, cropland restoration to pollinator habitat and recreational opportunities.	\$540,000	-0-
125	Polk	Brenton Slough Acquisition	Acquisition of 1,114 acres of land, known locally as the Brenton Slough, one of only 15 identified sloughs found in Iowa. There are 52 acres of water found amongst the nearly 1,000 acres of natural habitat.	\$500,000	-0-
111.8	Buchanan	Learning and Discovery Trail with Environmental Impact	This project provides a 0.9-mile, 10-foot wide, concrete-paved, Learning and Discovery Trail (LDT) that takes users along and through an existing Bison and Prairie Learning Area complete with interpretive kiosks, and then loops through park areas promoting views of plants and wildlife, education, public health, and outdoor recreation opportunities.	\$187,715	-0-
108.8	Dallas	Kuehn Conservation Area - Martens Addition	Kuehn Conservation Area - Martens Addition, is a 49.38-acre parcel which will be an addition to the Kuehn Conservation Area	\$510,000	-0-
98.4	Black Hawk	Hartman Bluff Stream Restoration	This project allows for stream restoration and erosion control improvements as well as mitigation measures to address the existing pervasive stream corridor erosion within the Hartman Bluff State Preserve.	\$300,000	-0-
90.4	Linn	Dice Acquisition	Acquisition of 56 acres of upland forest including Native American mounds adjacent to Linn County Conservation's Bird Preserve. This acquisition will protect vital cultural and natural resources as well as add to the Cedar River Greenbelt with its important	\$400,000	-0-

			water quality and flood water storage benefits.		
84.8	Sioux	Oak Grove State Park -Osterkamp Addition	The proposed acquisition of 140 acres is adjacent to Oak Grove Park (State and County owned). This area will provide 3 more accesses to the park and is made up of Oak Savanna and prairie type habitat.	\$350,000	-0-
				\$4,897,715	\$750,000

Michelle Wilson, REAP Coordinator
Conservation and Recreation Division
NRC Meeting Date: October 12, 2023

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

Decision Item

9.

REAP Private Public Cost-share Grants (FY24)

The Department requests Commission approval of the recommendations from the Project Review and Selection Committee for the REAP Public/Private Cost-share grants as directed by Iowa Administrative Code 571, Chapter 33.

Grant Purpose: Open Space funds (28% of REAP funds) are allocated to DNR for state acquisition and development of lands and waters. One-tenth of this 28% is set aside to cost-share land acquisitions with private organizations. The cost-share arrangement entails 75% of the acquisition costs coming from REAP and the other 25% coming from private contributions. This program provides an excellent opportunity to cost share with private entities for the purchase of high-quality natural areas that become public property. The DNR manages the property that is jointly purchased.

Funding Source(s): Resource Enhancement And Protection Fund - Private/Public Cost Share

Grant Funding Available: \$612,153

Selection Committee Members: As directed by Chapter 33, applications are reviewed by a committee consisting of three DNR staff and three representatives of private organizations (Ducks Unlimited, Inc., Wild Turkey Federation and Pheasants Forever) to ensure consistency with program policy and purposes.

Summary of Selection Process: As directed by criteria under Chapter 33.50, the selection committee reviewed all applications. Examples of criteria considered include relation to public land, relationship to relevant regional and statewide programs, rare or unique species communities, public benefits, tourism and economic development potential, and multiple use potential.

Recommendation: The committee recommends funding two projects listed in the table. Any unused funds will revert to the grant program for distribution in the next grant cycle.

REAP Public-Private Cost Share Projects				
Grant Applicant	Project Name, County	Project Description	Grant Amount Requested	Recommended Award
Iowa Natural Heritage Foundation	McCoy WMA Addition	Adjacent to McCoy Wildlife Management Area (WMA) and near Ledges State Park, the 31-acre McCoy WMA Addition will benefit wildlife populations while expanding upon one of Iowa's most popular recreational areas.	\$240,000	\$240,000
Iowa Natural Heritage Foundation	Sweet Marsh WMA Addition	Iowa Natural Heritage Foundation and the Iowa Department of Natural Resources are partnering to protect 40.75 acres of prairie in the Wapsipinicon River watershed adjacent to Sweet Marsh WMA. The Sweet Marsh WMA Addition offers a vital opportunity to create a large, uninterrupted tract of habitat in Bremer County to improve water quality while providing habitat to 74 SGCN in the Wapsi River Bird Conservation Area.	\$172,875	\$172,875
TOTALS			\$412,875	\$412,875

Michelle Wilson, REAP Coordinator
Conservation and Recreation Division
NRC Meeting Date: October 12, 2023

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

Decision Item (*indicates proposed consent)

***10.**

Timber Sale Contract with Yoder Sawmill, LLC for Stephens State Forest

Commission approval is requested for a timber sale contract with Yoder Sawmill, LLC of Bonaparte, IA, for Stephens State Forest.

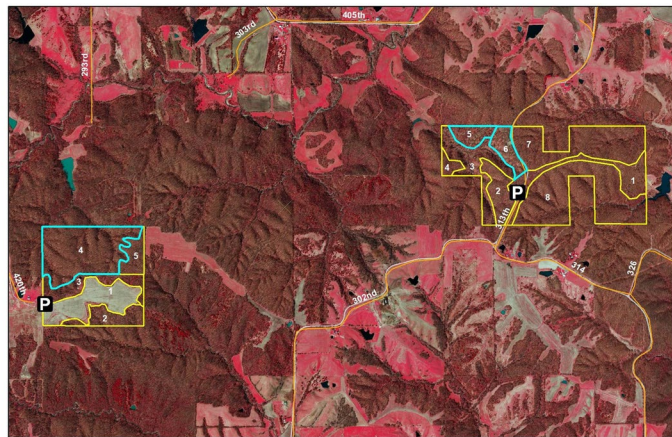
Contract Terms

Income: \$66,650.00

Dates: 10/14/23 to 03/31/25

Fund Deposited to: Conservation Fund - Forestry

Contract Purpose: This contract will facilitate a hardwood timber harvest of an estimated 147,308 board feet in 1,035 mixed hardwood trees at Stephens State Forest in Appanoose County. An even-aged management system will be used in accordance with the Stephens State Forest Management Plan to allow sunlight to stimulate the growth of oak seedlings already present on the site. A natural areas inventory was conducted and there are no known threatened and endangered species in the harvest area. Harvesting and regenerating these stands will improve the overall health and vigor of the forest.



Unionville C1 S4 - Shelterwood 68 acres
Unionville C2 S5 - Clearcut 11 acres
Unionville C2 S6 - Clearcut 14 acres
Timber sale areas highlighted in blue

Stephens State Forest
Unionville Unit: Compartments 1 & 2
FY24 Timber Sale Areas
T70N R16W Sections 17 & 10; Appanoose Co.

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: 9/13/23

Number of Bids Received: 4

Recommendation: Yoder Sawmill, LLC

Bidder	City, State	Amount of Bid
Yoder Sawmill, LLC	Bonaparte, IA	\$ 66,650.00
Nelson Petersheim	Albia, IA	\$ 54,000.00
Pierce Lumber, Inc.	Bell Plaine, IA	\$ 40,000.00
Nisley Woodwork, LLC	Seymour, IA	\$ 31,000.00

Jeff Goerndt, State Forester
Conservation and Recreation Division

October 12, 2023

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

Decision Item (*indicates proposed consent)

***11.**

Timber Sale Contract with Kendrick, Inc. for Pikes Peak State Park

Commission approval is requested for a timber sale contract with Kendrick, Inc. of Edgewood, IA for Pikes Peak State Park.

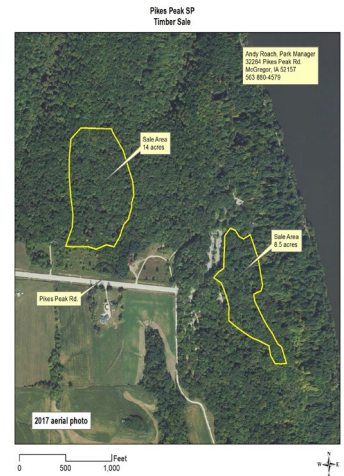
Contract Terms

Income: \$51,888.00

Dates: 10/15/23 to 03/15/2025

Fund Deposited to: Conservation Fund - Forestry

Contract Purpose: This contract will facilitate a hardwood timber harvest of an estimated 45,524 board feet in 338 mixed hardwood trees at Pikes Peak State Park in Clayton County. We are proposing to perform treatments on two stands of mature, closed-forest cover that will convert the stands to open-canopy conditions. This project is intended to create savanna-like habitat. It will be necessary to remove merchantable timber and other trees as part of the treatment to complete this project. A natural areas inventory was conducted and there are no known threatened and endangered species in the harvest areas. Harvesting and regenerating these stands will help 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 an 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: 9/22/23

Number of Bids Received: 5

Recommendation: Kendrick, Inc.

Bidder	City, State	Amount of Bid
Kendrick, Inc.	Edgewood, IA	\$51,888.00
Ben Bruggeman	Monticello, IA	\$46,217.00
Jones Wood Heating and Logging	McGregor, IA	\$41,500.00
Dan Jones Logging	Waterville, IA	\$36,007.00
Meyer Timber Services	New Albin, IA	\$34,500.00

Jeff Goerndt, State Forester

Conservation and Recreation Division
October 12, 2023

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

Decision Item (*indicates proposed consent)

***12.**

Timber Sale Contract with Ben Bruggeman for Yellow River State Forest

Commission approval is requested for a timber sale contract with Ben Bruggeman of Monticello, IA, for Yellow River State Forest.

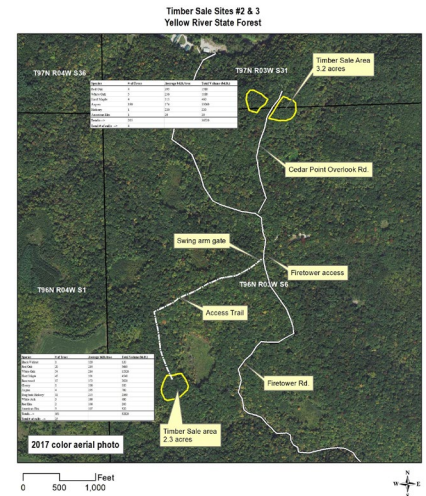
Contract Terms

Income: \$58,708.20

Dates: 10/13/23 to 03/15/2025

Fund Deposited to: Conservation Fund - Forestry

Contract Purpose: This contract will facilitate a hardwood timber harvest of an estimated 120,220 board feet in 538 mixed hardwood trees at Yellow River State Forest in Allamakee County. An even-aged management system will be used in accordance with the Yellow River State Forest Management Plan to allow sunlight to stimulate the growth of oak seedlings already present on the site. A natural areas inventory was conducted and there are no known threatened and endangered species in the harvest areas. Harvesting and regenerating these stands will help 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 an 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: 9/6/23

Number of Bids Received: 4

Recommendation: Ben Bruggeman

Bidder	City, State	Amount of Bid
Ben Bruggeman	Monticello, IA	\$58,708.20
Dan Jones Logging	Waterville, IA	\$53,800.00
Jones Wood Heating and Logging	McGregor, IA	\$47,377.00
Kendrick, Inc.	Edgewood, IA	\$46,900.00

Jeff Goerndt, State Forester

Conservation and Recreation Division
October 12, 2023

Iowa Department of Natural Resources
Natural Resource Commission

Decision Item

13.

Timber Sale Contract with Meister Log and Lumber Co. for Yellow River State Forest

Commission approval is requested for a timber sale contract with Meister Log and Lumber Co. of Reedsburg, WI, for Yellow River State Forest.

Contract Terms

Income: \$507,123.00

Dates: 10/13/23 to 03/15/2024

Fund Deposited to: Conservation Fund - Forestry

Contract Purpose: This contract will facilitate a hardwood timber harvest of an estimated 477,427 board feet in 2,306 mixed hardwood trees at Yellow River State Forest in Allamakee County. This timber harvest will remove trees in a mixed hardwood stand, which will help to create and maintain an uneven-aged stand structure with well-developed mid-story and understory canopy layers which will benefit certain wildlife species. A natural areas inventory was conducted and there are no known threatened and endangered species in the harvest areas. Harvesting and regenerating these stands will help 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 an 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: 9/20/23

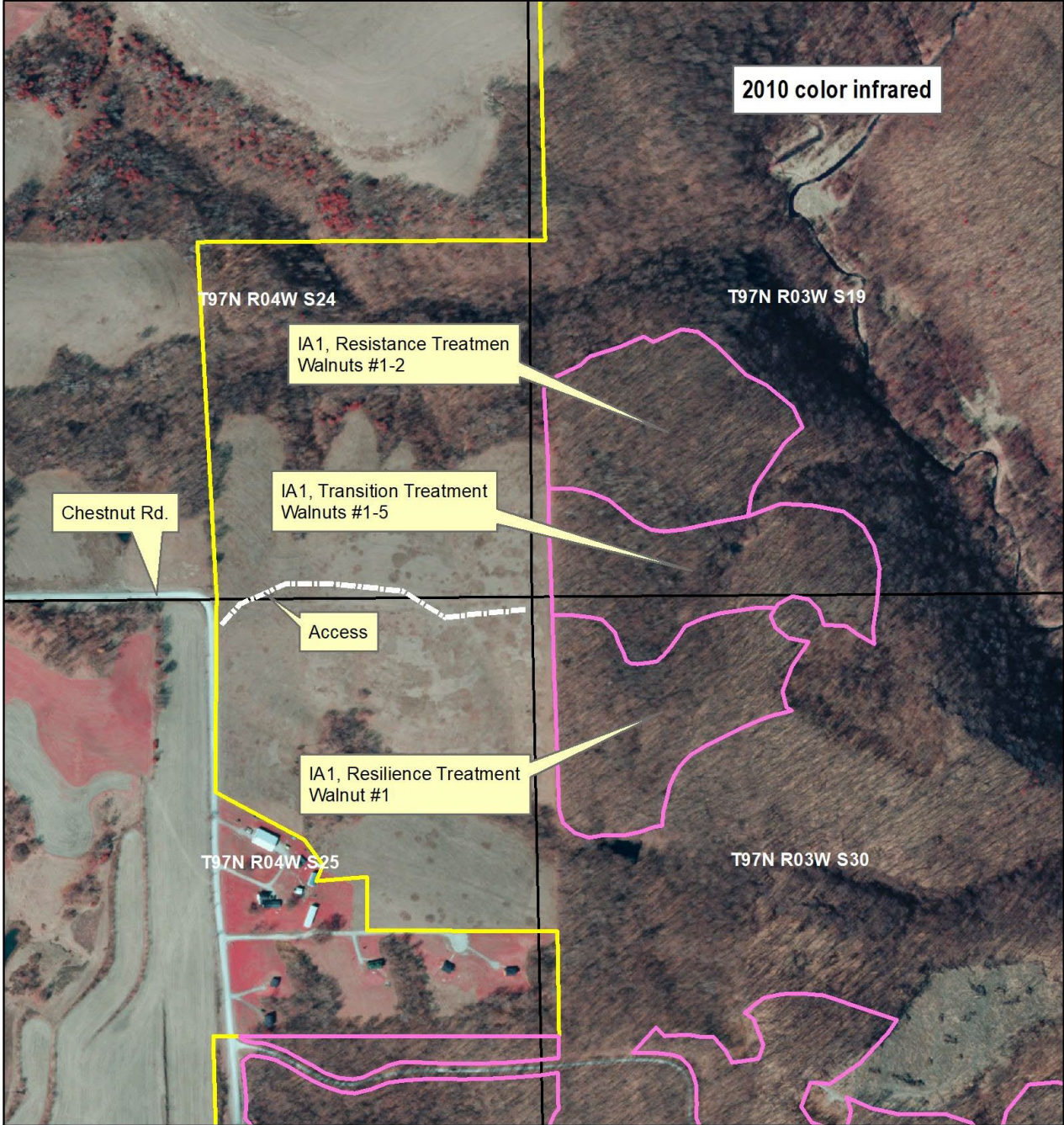
Number of Bids Received: 5

Recommendation: Meister Log and Lumber Co.

Bidder	City, State	Amount of Bid
Meister Log and Lumber Co.	Reedsburg, WI	\$507,123.00
Kendrick, Inc.	Edgewood, IA	\$469,928.00
Ben Bruggeman	Monticello, IA	\$459,270.00
Wieland and Sons Lumber Co.	Winthrop, IA	\$400,278.00
Dan Jones Logging	Waterville, IA	\$391,350.00

Jeff Goerndt, State Forester
Conservation and Recreation Division
October 12, 2023

Yellow River State Forest
Paint Creek Unit



2010 color infrared

T97N R04W S24

T97N R03W S19

IA1, Resistance Treatment
Walnuts #1-2

Chestnut Rd.

IA1, Transition Treatment
Walnuts #1-5

Access

IA1, Resilience Treatment
Walnut #1

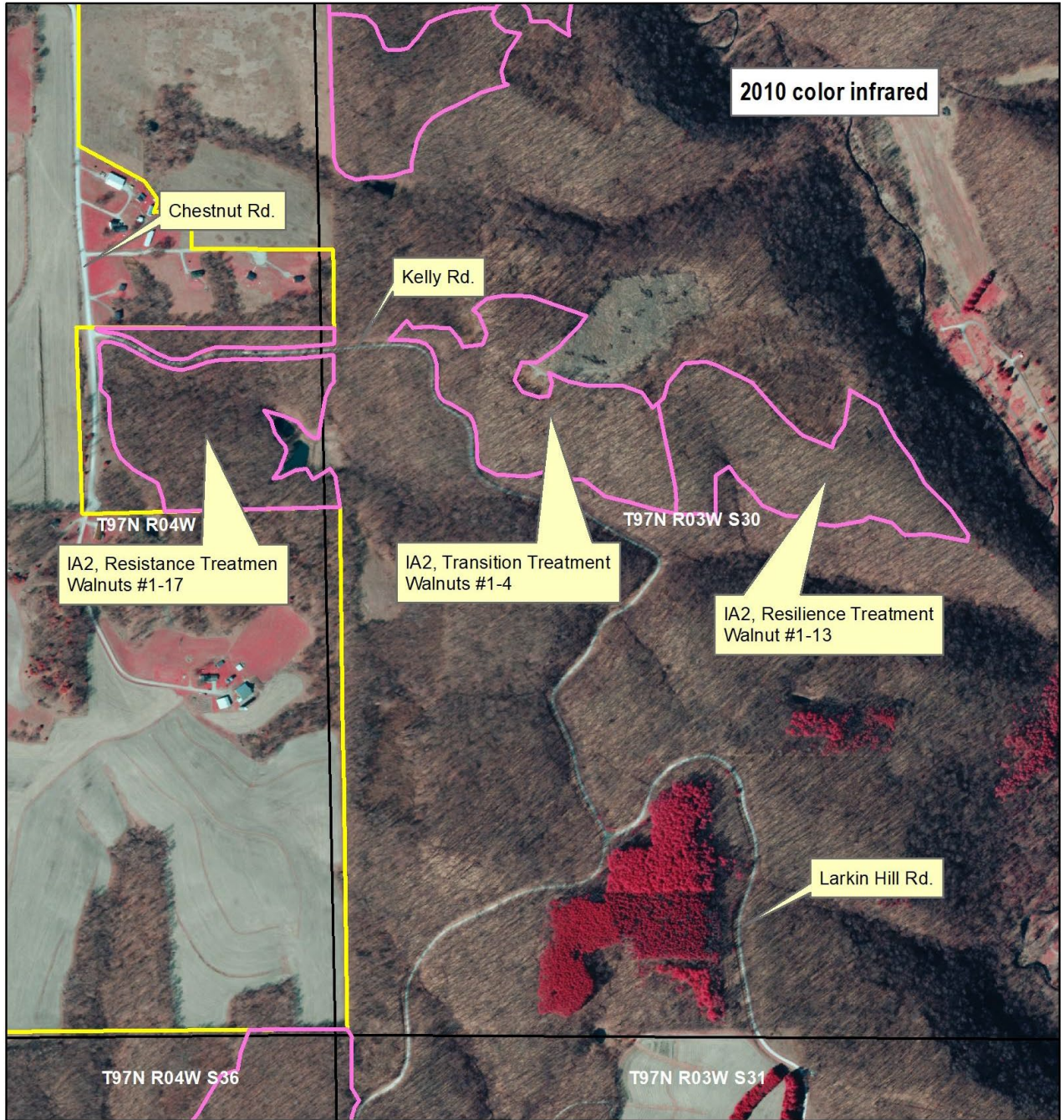
T97N R04W S25

T97N R03W S30

0 500 1,000 Feet



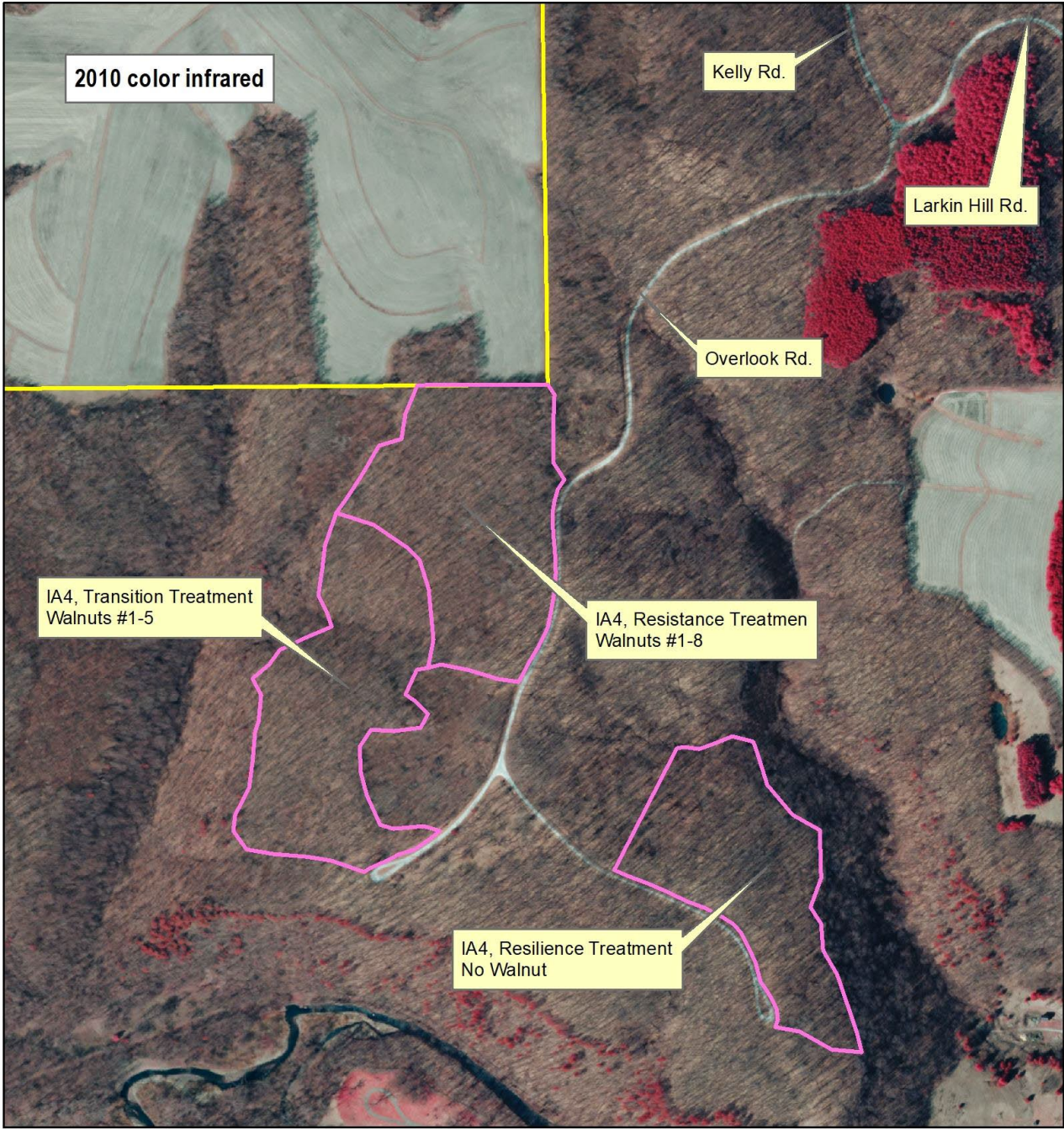
Yellow River State Forest
Paint Creek Unit



0 500 1,000 Feet



Yellow River State Forest
Paint Creek Unit



0 500 1,000 Feet



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

Decision Item

14. 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 \$1,971,676.00

Dates: October 12, 2023 to June 30, 2025

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. 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. As a result of this assessment, project partners moved forward with design for watershed and in-lake restoration practices, culminating with permits and final design plans for construction. Additionally, BHCCB worked extensively to reduce erosion in the park through timber stand improvement efforts in areas highlighted in the initial assessment.

Contract Purpose: The purpose of this cooperative agreement is to fund construction of watershed and in-lake restoration practices at Hickory Hills Park (Casey Lake). Restoration practices (see diagrams below) include renovation of four existing watershed ponds in the park and creation of three new in-lake forebays/ponds to capture sediment and nutrients. In-lake restoration practices include 138,831 CY of targeted sediment removal (mechanical dredging), 3,431 LF of shoreline stabilization, new recreational amenities including a stone terrace, upgrades to the outlet infrastructure, and extensive fish habitat improvements.

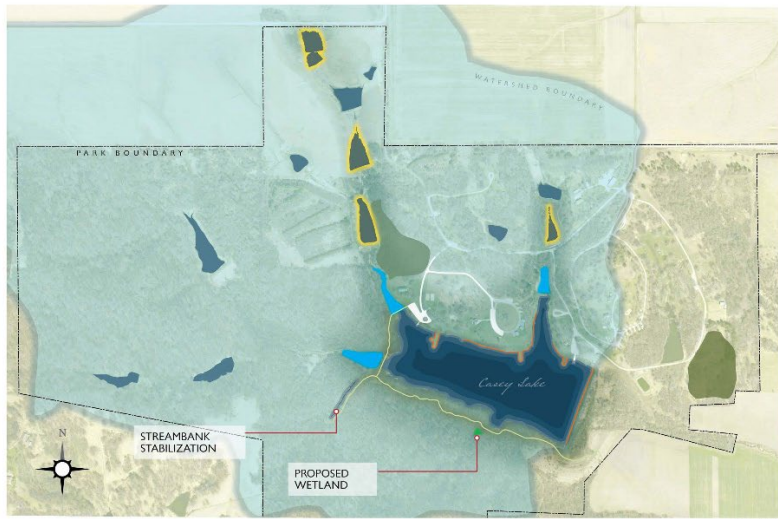
Budget:

DNR Contribution:	Not to exceed \$1,971,676.00
BHCCB Contribution :	Not to exceed \$432,808.00
Total Cost:	Not to exceed \$2,404,484.00

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: October 12, 2023

Watershed Improvements:



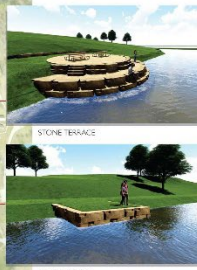
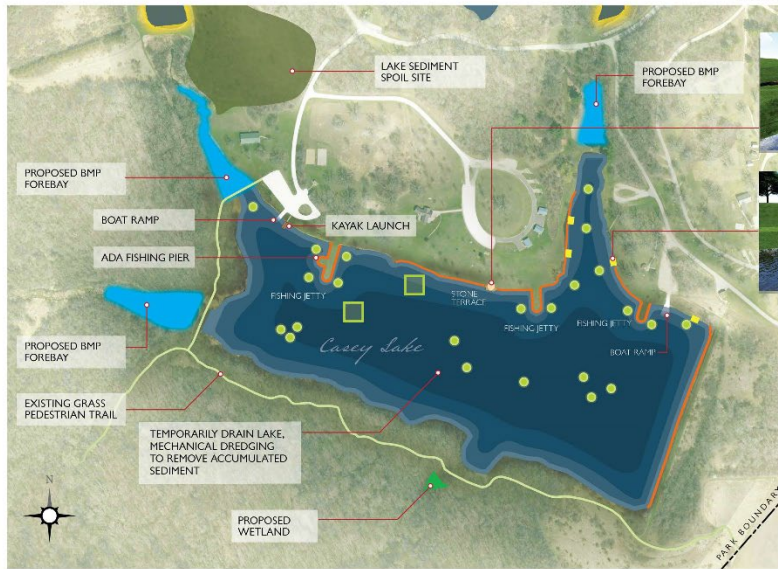
-  EXISTING BMP NO IMPROVEMENTS
-  EXISTING BMP PROPOSED IMPROVEMENTS
-  PROPOSED BMP FOREBAY
-  LAKE SEDIMENT SPOIL SITES

CASEY LAKE RESTORATION AT HICKORY HILLS PARK

Anticipated Casey Lake Restoration
Project Schedule 2023 to 2026



In-Lake Restoration Activities:



-  BANK STABILIZATION
-  FISH HABITAT
-  FISHING NOCIES

CASEY LAKE RESTORATION AT HICKORY HILLS PARK



PROJECT FUNDING BY:
Lake Restoration Program, Iowa DNR
Black Hawk County Gaming Association Grant
BLACK HAWK COUNTY
GAMING ASSOCIATION
Fish Habitat Grant, Iowa DNR
Young Family Foundation
Black Hawk County

**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
8/24/23	21-03-09-02	Sweet Marsh WMA	Bremer	This project consists of HMA transverse joint repair and fog sealing of road off of 165 th street at Sweet Marsh WMA	\$32,000	\$28,011.70
9/21/23	20-03-12-03	Shell Rock Bend WMA	Butler	This project consists of granular roadway maintenance - blading/shaping, spreading new rock, ditch cleaning, shoulder work, the replacement of one culvert and the installation of one new culvert.	\$60,000	\$39,362.75 \$41,061.00 \$64,183.33 \$67,071.00 \$79,304.00

Travis Baker, Land and Waters Bureau Chief
Conservation and Recreation Division
NRC Meeting Date: 10/12/2023

Iowa Department of Natural Resources
Natural Resource Commission

16.

Decision Item

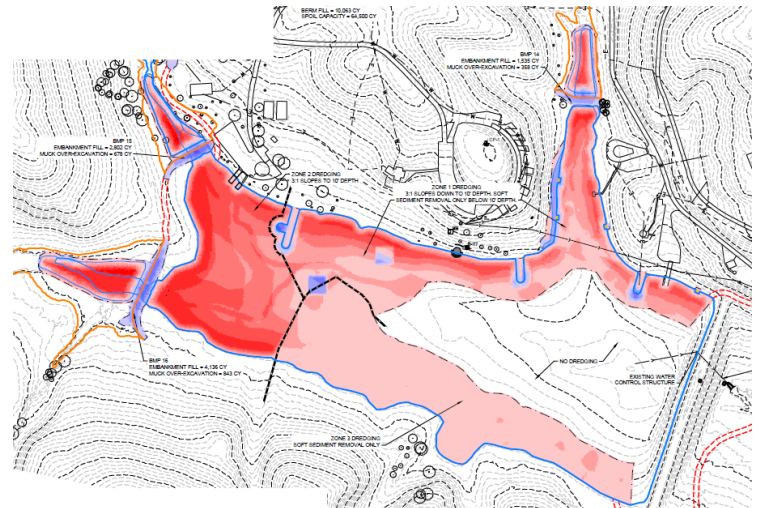
Construction Item

16.1 Casey Lake Restoration – Tama County

The Department requests Commission approval of the following construction project:

Project Summary: 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).

This project will construct watershed and in-lake restoration practices at Hickory Hills Park (Casey Lake). Restoration practices include renovation of four existing watershed ponds in the park and creation of three new in-lake forebays/ponds to capture sediment and nutrients. In-lake restoration practices include 138,831 CY of targeted sediment removal (mechanical dredging), 3,431 LF of shoreline stabilization, new recreational amenities including a stone terrace, upgrades to the outlet infrastructure, and extensive fish habitat improvements.



Engineering Project #: 24-05-86-01

Cost Estimate: \$2,516,995.00

Operating Bureau: Lake Restoration

Funding Source: 82% Lake Restoration, 18% Black Hawk County Conservation Board

Bid Letting Date: 9/21/2023

Construction Completion Date: 3/15/2025

Number of Bids Received: 9

Bidders

Three Oaks Construction	North Sioux City, SD	\$2,185,894.85
Legacy Corporation of IL	East Moline, IL	\$2,387,650.30
Hatch Grading & Construction, Inc.	Dysart, IA	\$2,458,082.75
Boomerang Corp. of Iowa	Anamosa, IA	\$2,469,859.00
JB Holland Construction, Inc.	Decorah, IA	\$2,563,560.35
Peterson Contractors, Inc.	Reinbeck, IA	\$2,999,988.00
CJ Moyna & Sons, LLC	Elkader, IA	\$3,099,955.40
RW Excavating Solutions, LC	Prairie City, IA	\$3,246,890.50
Veit & Company, Inc.	Rogers, MN	\$4,764,418.25

Upon Engineering’s review of bids, DNR recommends awarding the contract to Three Oaks Construction.

16.2 Red Rock WMA/Lake Keomah, Road Maintenance - Marion/Warren/Mahaska Counties

The Department requests Commission approval of the following construction project:

Project Summary: This project includes maintenance work for 3.5 miles of gravel roads at Red Rock Wildlife Management Area and 0.5 miles of gravel roads at Keomah State Park. Red Rock Wildlife Management Area is located around Red Rock Lake, near Knoxville. Red Rock WMA consists of over 32,000 acres of lake, marsh, timber, upland, and grass habitat. Game species in the area include deer, squirrel, pheasant, waterfowl, and dove. Keomah State Park was dedicated in 1934 and encompasses approximately 366 acres. Park amenities include an 84-acre lake, beach, two boat ramps, modern campground, a CCC-era lodge, and various picnic areas and shelters.



The rock on all the roads has served its useful life, and more rock needs to be added to maintain the serviceability of the roads. All roads will be re-graded to restore the original crown and to remove any high shoulder areas. The re-grading will aid in roadway drainage to prevent future potholes. Ditches in several different areas will be cleaned for proper drainage. One road within the WMA will have a rusted-out culvert replaced.

Engineering Project #: 23-05-63-04

Cost Estimate: \$220,000

Operating Bureau: Parks/Wildlife

Funding Source: 100% Parks and Institutional Road Fund

Bid Letting Date: 9/21/2023

Construction Completion Date: 9/30/2024

Number of Bids Received: 5

Bidders

Skyline Construction Inc	Decorah IA	\$171,874.30
Nagel Construction LLC	Allerton IA	\$185,486.75
Leffler Dirtworks LLC	Oskaloosa IA	\$208,327.00
RW Excavating Solutions LC	Prairie City IA	\$208,402.80
Manatts Inc	Brooklyn IA	\$312,992.39

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

16.3 Tieville Bend, Pump Replacement – Monona County

The Department requests Commission approval of the following construction project:

Project Summary: Tieville Bend Wildlife Management Area is located approximately 3.5 miles west of Onawa, and consists of over 2,000 acres of upland and timber habitat. Games species in the area include deer, turkey, pheasant, waterfowl, rabbit, and dove.

In 2001, the US Army Corps, in partnership with the DNR, restored a large river habitat in the floodplain adjacent to the main Missouri River Channel. Included in this project was the construction of a duplex pumping station for managing waterfowl habitat at Tieville Bend. Recently, the pumps have failed. This project will remove and replace one of the 90 horsepower pumps.

Engineering Project #: 24-01-67-02

Cost Estimate: \$110,000.00



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

Decision Item

17. Public Land Acquisition Project

17.1 Rolling Hills Wildlife Management Area, Madison County – Iowa Natural Heritage Foundation

The Natural Resource Commission's approval is requested to purchase a tract of land located in Madison County in Rolling Hills Wildlife Management Area (WMA).

Seller: Iowa Natural Heritage Foundation (INHF)

Acreage: 234 acres

DNR Purchase Price: \$1,054,000

Appraised Value: \$1,054,000

Property Description: This irregular-shaped property is located two miles northeast of Truro in southeastern Madison County. The property is mostly open grasslands consisting of common pasture grasses and native grasses and forbs. The grassland slopes from the boundaries to an unnamed creek in the center. This creek flows to the north and drains into Broadhorn Creek. The creek has thin riparian timber along its banks. Upland patches of oak trees exist on the northern portion of the property, presenting an opportunity for Oak Savanna restoration. There are 3 ponds totaling about 5 acres. There are no building improvements. Access is provided from Truro Road and Peru Road, both hard surfaced county roads.

Purpose: This acquisition, reflecting close proximity to the Des Moines metro area as well as a diversity of habitat types, will allow for public access to hunting and other outdoor recreation opportunities. Prairie reconstruction will be completed as the wildlife Bureau will oversee management of the property.

DNR Property Manager: Wildlife Bureau

Funding Source(s): \$1,024,000 Pittman-Robertson, \$10,000 Wildlife Habitat Stamp, \$10,000 Warren County Pheasants Forever, \$10,000 Madison County Pheasants Forever.

Incidental Costs: Incidental closing costs will be the responsibility of the Department.

17.2 Otter Creek, Fayette County – Boyer

The Natural Resource Commission's approval is requested to purchase an angler access conservation easement for the purpose of public fishing.

Seller: Barbara Boyer

Acreage: 20.55 acres

DNR Purchase Price: \$51,380.00 (\$2,500/Ac)

Property Description: Otter Creek is a popular coldwater fishery near West Union in Fayette County, Iowa. Beginning west of West Union, Otter Creek flows through Echo Valley State Park

before it joins the Turkey River near Elgin. Otter Creek is the 24th-most popular trout stream in Iowa, likely due to the diverse fishery of catchable-stocked Rainbow Trout and an expanding population of wild Brown Trout. Access to the stream is provided by public lands as well as other publicly accessible angler access points.

Purpose: The proposed angler access easement will provide public access for fishing along 1.21 miles of coldwater stream corridor. Otter Creek trout populations have historically been managed with annual catchable-sized Rainbow Trout stockings. The last stocking of fingerling Brown Trout in Otter Creek occurred in 2017. Sampling upstream in 2020 found Brown Trout over 16" in total length, with multiple year classes present. Follow-up sampling is planned to evaluate Brown Trout natural reproduction throughout the watershed. Otter Creek is currently listed as a Category 1 naturally-reproducing stream for Brown Trout. Moving forward, the DNR will manage for wild Brown Trout with no additional fingerling stockings planned. The Rainbow Trout fishery in Otter Creek is dependent on stocking, and catchable-sized stockings are scheduled to continue. This easement not only will allow public access for fishing, but also for DNR to access for fish stocking, fish sampling, riparian corridor improvements, and fish habitat improvements.

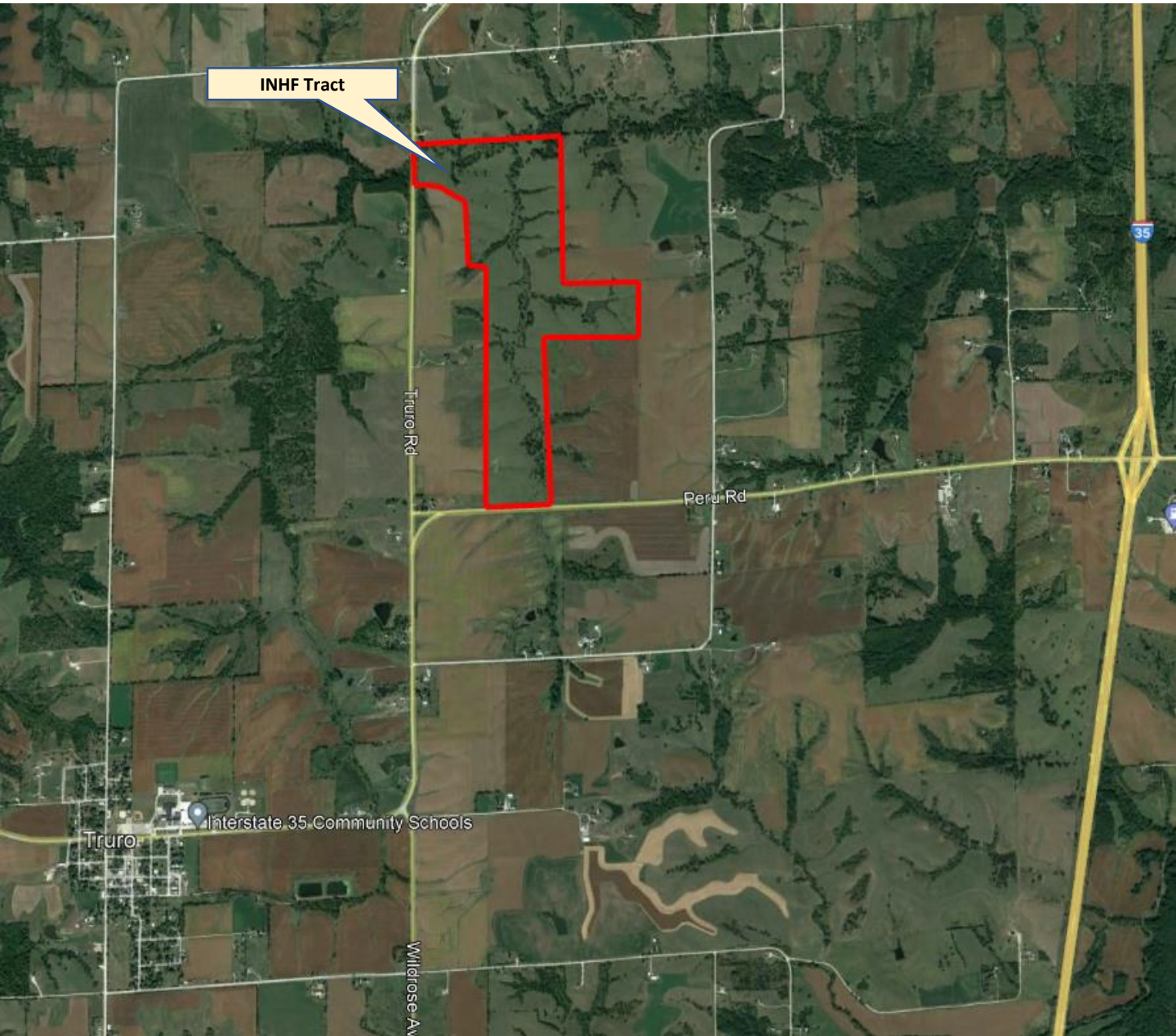
This Property will continue to be owned in fee title by Barbara Boyer. The permanent angler access conservation easement will be monitored by the Fisheries Bureau staff.

DNR Property Manager: Fisheries Bureau

Funding Source(s): Fish Restitution Fund

Incidental Costs: Incidental closing costs will be the responsibility of the Department.

Realty Services / Rolling Hills WMA / Madison Co. / INHF



Iowa Department of Natural Resources
Natural Resource Commission

Decision Item

18. Chapter 10, "Forfeited Property" – Notice of Intended Action (rescissions)

The Commission is requested to approve the Notice of Intended Action to rescind Chapter 10, "Forfeited Property." This Notice of Intended Action are the result of the Law Enforcement Bureau's Executive Order 10 rule review.

Chapter 10 is unnecessary. It is duplicative to state law that sufficiently details the process for disposing of seized or forfeited property used in fish and game crimes.

Craig Cutts, Law Enforcement Bureau Chief
Conservation and Recreation Division
Meeting Date: October 12, 2023

Attached: Chapter 10 - NOIA

NATURAL RESOURCE COMMISSION[571]

Notice of Intended Action

Proposing to rescind and reserve chapter

The Natural Resource Commission (Commission) hereby proposes to rescind Chapter 10, “Forfeited Property,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 455A.5(6)“a”.

State or Federal Law Implemented

This rule making implements, in whole or in part, Executive Order 10, Iowa Administrative Bulletin, Vol. XLV, No. 16 (Feb. 8, 2023), p. 2145, and Iowa Code section 17A.7(2).

Purpose and Summary

The Commission proposes to rescind and reserve Chapter 10, “Forfeited Property.” This chapter is unnecessary. It is duplicative to state law that sufficiently details the process for disposing of seized or forfeited property used in fish and game crimes. *See* IOWA CODE §§ 481A.13A, 483A.32, and 482A.33; *see also* IOWA CODE CHAPTER 809.

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

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Commission for a waiver of the discretionary provisions, if any, pursuant to 571-Chapter 11.

Public Comment

Any interested person may submit comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Department no later than 4:30 p.m. on January 18, 2024. Comments should be directed to:

Craig Cutts, Chief – Law Enforcement Bureau
502 E 9th Street
Des Moines, IA 50319
craig.cutts@dnr.iowa.gov

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

January 18, 2024, 1-2pm, Wallace State Office Building, Conference room 4E

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

Any persons who intend to attend the hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its regular monthly meeting or at a special

meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making action proposed:

ITEM 1. Rescind and reserve **571—Chapter 10**.

Iowa Department of Natural Resources
Natural Resource Commission

Decision Item

19. Chapter 18, “Rental Fee Schedule for State-Owned Property, Riverbed, Lakebed, and Waterfront Lands”; Chapter 19, “Sand and Gravel Permits” – Notices of Intended Action (rescissions)

The Commission is requested to approve the Notices of Intended Action to rescind Chapters 18 and 19. These Notices of Intended Action are the result of Land and Waters Bureau’s Executive Order 10 rule review.

Chapters 18 and 19 will be consolidated into the new Chapter 17, alongside barge fleeting leases. The Department believes that consolidating these chapters will simplify the rules by eliminating language that is common to multiple chapters. These chapters are logically grouped together because they all involve permitting activities on, or the leasing of, state-owned lands and waters.

Travis Baker, Land and Waters Bureau Chief
Conservation and Recreation
Meeting Date: October 12, 2023

Attached: Chapter 18 and 19 - NOIAs

NATURAL RESOURCE COMMISSION[571]

Proposing to rescind and reserve chapters

Notice of Intended Action

The Natural Resource Commission (Commission) hereby proposes to rescind and reserve Chapter 18 “Rental Fee Schedule for State-Owned Property, Riverbed, Lakebed, and Waterfront Lands,” and Chapter 19 “Sand and Gravel Permits,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code sections 455A.5(6)“a,”455A.5(6)“e,” and 461A.4.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code sections 461A.4, 461A.25, 462A.52, 462A.53, and 462A.55 through 462A.57.

Purpose and Summary

Chapter 18 and 19 are both proposed for rescission based on the Department of Natural Resources’ Executive Order 10 review. However, the substance of these chapters will be retained in some form and consolidated with other related chapters.

In more detail, Chapter 18 provides a fee schedule for leases of state-owned property under NRC jurisdiction. Additionally, when state-owned property is encroached upon, this rule provides the lease fee as compensation as an alternative to requiring removal of the encroachment. This chapter will be edited for length and clarity and incorporated into new Chapter 17.

Chapter 19 provides the procedures for individuals and businesses to obtain a permit for removal of sand and gravel from state-owned lands and waters under the jurisdiction of the Commission and the rules associated with the holding of a permit. The purpose of these rules is to

ensure that the waterways are protected from permanent damage, that they remain ecologically intact, and that public recreational use is not adversely affected. This chapter will also be edited for length and clarity and incorporated into new Chapter 17.

Fiscal Impact

This rulemaking has no fiscal impact to the state of Iowa.

Jobs Impact

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

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Natural Resource Commission for a waiver of the discretionary provisions, if any, pursuant to 571-Chapter 11.

Public Comment

Any interested person may submit comments concerning this proposed rulemaking. Written comments in response to this rulemaking must be received by the Department of Natural Resources no later than 4:30 p.m. on January 30, 2024. Comments should be directed to:

Nathan Schmitz ROW Agent 2
Department of Natural Resources
502 East Ninth Street
Des Moines, IA 50319
Email: Nathan.schmitz@dnr.iowa.gov

Public Hearing

A public hearing at which persons may present their views orally will be held via conference call as follows. Persons who wish to attend a conference call should contact Nathan Schmitz via email. A conference call number will be provided prior to the hearing. Persons who wish to make oral comments at a conference call public hearing must submit a request to Nathan Schmitz prior

to the hearing to facilitate an orderly hearing.

January 23, 2024
12 noon - 1 p.m.

via video/conference call

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a hearing and have special requirements, such as those related to hearing impairments, should contact the Department of Natural Resources and advise of specific needs.

Review by Administrative Rules Review Committee

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

The following rulemaking action is proposed:

ITEM 1. Rescind **571—Chapter 18**.

ITEM 2. Rescind **571—Chapter 19**.

Iowa Department of Natural Resources
Natural Resource Commission

Decision Item

20. Chapter 29, “Local Recreation Infrastructure Grants Program” – Notice of Intended Action (rescissions)

The Commission is requested to approve the Notice of Intended Action to rescind Chapter 29. This Notice of Intended Action is the result of the Department’s Executive Order 10 rule review.

Chapter 29 contained rules for a local recreational facility grant fund. The grant provided state cost sharing to certain entities to fund restoration or construction of recreational complexes or facilities. Money was appropriated in 1998 to fund this grant program, and the funds were distributed in conformance with the rules. This program has been dormant for many years. Accordingly, these rules can be rescinded.

Tamara McIntosh, General Counsel
Legal Services
Meeting Date: October 12, 2023

Attached: Chapter 29 - NOIA

NATURAL RESOURCE COMMISSION[571]

Notice of Intended Action

Proposing to rescind and reserve chapter

The Natural Resource Commission (Commission) hereby proposes to rescind Chapter 29, “Local Recreation Infrastructure Grants Program,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in 1998 Iowa Acts, Senate File 2381.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Executive Order 10, Iowa Administrative Bulletin, Vol. XLV, No. 16 (Feb. 8, 2023), p. 2145, and Iowa Code section 17A.7(2).

Purpose and Summary

Chapter 29 contained rules for a local recreational facility grant fund. The grant provided state cost sharing to certain entities to fund restoration or construction of recreational complexes or facilities. Money was appropriated in 1998 to fund this grant program, and the funds were distributed in conformance with the rules. This program has been dormant for many years. Accordingly, these rules can be rescinded.

Fiscal Impact

This rulemaking has no fiscal impact to the state of Iowa.

Jobs Impact

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

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Commission for a waiver of the discretionary provisions, if any, pursuant to 571-Chapter 11.

Public Comment

Any interested person may submit comments concerning this proposed rulemaking. Written comments in response to this rulemaking must be received by the Department of Natural Resources (Department) no later than 4:30 p.m. on January 16, 2024. Comments should be directed to:

Tamara McIntosh
Iowa DNR
502 E 9th Street
Des Moines, IA 50319
tamara.mcintosh@dnr.iowa.gov

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

January 16, 2024 at 1-2PM, Wallace State Office Building, Conference room 4E

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend the hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special

meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action proposed:

ITEM 1. Rescind and reserve **571—Chapter 29**.

Iowa Department of Natural Resources
Natural Resource Commission

Decision Item

21. Chapter 32, "Private Open Space Lands" – Notice of Intended Action (rescissions)

The Commission is requested to approve the Notice of Intended Action to rescind Chapter 32. This Notice of Intended Action is the result of Wildlife Bureau's Executive Order 10 rule review.

The purpose of Chapter 32 is to define the private natural open space heritage exemption for agricultural land acquired or obtained by authorized farm corporations or trusts. However, the underlying statutes have changed over time, and the Department of Natural Resources' historical role has been removed. Therefore, this chapter can be rescinded.

Todd Bishop, Wildlife Bureau Chief
Conservation and Recreation Division
Meeting Date: October 12, 2023

Attached: Chapter 32 - NOIA

NATURAL RESOURCE COMMISSION[571]

Notice of Intended Action

Proposing to rescind and reserve chapter

The Natural Resource Commission (Commission) hereby proposes to rescind and reserve Chapter 32, “Private Open Space Lands,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 9H.5(1)“b” and 17A.7(2).

State or Federal Law Implemented

This rule making implements, in whole or in part, Executive Order 10, Iowa Administrative Bulletin, Vol. XLV, No. 16 (Feb. 8, 2023), p. 2145, and Iowa Code section 17A.7(2).

Purpose and Summary

The Commission proposes to rescind Chapter 32. The underlying statutes have changed over time, and the Department of Natural Resources’ historical role has been removed. Therefore, this chapter is no longer necessary.

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

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Commission for a waiver of the discretionary provisions, if any, pursuant to 571-Chapter 11.

Public Comment

Any interested person may submit comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Department no later than 4:30 p.m. on January 16, 2024. Comments should be directed to:

Monica Thelen
Wildlife Bureau
502 E 9th Street
Des Moines, IA 50319
monica.thelen@dnr.iowa.gov

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

January 16, 2024 at 1-2PM, Wallace State Office Building, Conference 4E

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

Any persons who intend to attend the hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department and advise of specific needs.

Review by Administrative Rules Review Committee

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

The following rule-making action proposed:

ITEM 1. Rescind and reserve **571—Chapter 32.**