
LEGAL UPDATE

Legal Services Division



Ground Floor, State Capitol Building

Des Moines, Iowa 50319

515.281.3566

NATURAL RESOURCE COMMISSION MEETING — AUGUST 11, 2022

Purpose. *Legal updates are prepared by the nonpartisan Legal Services Division of the Legislative Services Agency. A legal update is intended to provide legislators, legislative staff, and other persons interested in legislative matters with summaries of recent meetings, court decisions, Attorney General Opinions, regulatory actions, federal actions, and other occurrences of a legal nature that may be pertinent to the General Assembly's consideration of a topic. Although an update may identify issues for consideration by the General Assembly, it should not be interpreted as advocating any particular course of action.*

Date and Location. The Natural Resource Commission met on August 11, 2022, at the Henry Wallace Building in Des Moines. The meeting was also accessible telephonically.

Consent Agenda Items. In adopting the agenda, the commission consented to the approval of the following agenda items:

- The conveyance of an easement totaling 0.58 acres to the City of Cedar Rapids to install a flood control system along the Cedar River.
- A contract with RLC Roberts Trust to allow the completion of land management activities described in the wildlife management plan for the trust property.

Construction Projects. The commission approved the following construction projects:

- A project to upgrade and improve the accessibility of a fishing pier at Green Valley State Park in Union County for \$161,232.
- A project to convert a dredge spoil site into upland prairie at Prairie Rose State Park in Shelby County for \$210,298.60.
- A project to pave a trail and parking lot to increase accessibility at Lake Darling State Park in Washington County for \$176,200.
- A project to construct a new office addition to provide safer conditions for staff and visitors at Lake Ahquabi State Park in Warren County for \$632,656.
- A project to replace deteriorated roads and increase parking areas at Lake Ahquabi State Park in Warren County for \$3,121,791.70.
- A project to replace a multi-purpose trail at George Wyth State Park in Black Hawk County for \$515,190.

Contracts. The commission approved the awarding of the following contracts:

- A contract with Custom Forestry Applications, LLC, to remove and treat invasive brush and tree species on grassland areas at Twelve Mile Lake Wildlife Management Area (WMA) in order to restore grassland habitat and improve filtration rates and wildlife habitat.
- A contract with JNC Construction LLC to remove and treat invasive brush and tree species on grassland and oak savanna areas at Lake Icaria WMA to restore grassland and savanna habitats and improve water quality.
- A contract with Iowa State University to study and estimate county-specific white-tailed deer populations and evaluate the deer herd's economic and environmental impact on various stakeholders, as required by legislation passed during the 2022 Legislative Session.

- A contract with Ducks Unlimited, Inc., to construct a fish barrier, remove silt, and construct a water control structure at West Swan Lake to prevent the introduction of rough fish and improve management of the watershed.
- A contract with Kirkpatrick Brush and Snow LLC to perform foliar herbicide application on properties enrolled in the Iowa Habitat and Access Program in Harrison County to control volunteer trees.
- A contract with Armodus, LLC, to both mechanically remove volunteer trees and apply foliar herbicide on properties enrolled in the Iowa Habitat and Access Program in Harrison County.

Peregrine Falcon Falconry Permit Lottery Drawing. The U.S. Fish and Wildlife Service has found that the northern management population of peregrine falcons is sustainable enough to support a limited take and made available 48 peregrine falcon falconry permits to be allocated roughly equally among the 10 member states of the Mississippi Flyway. Accordingly, Iowa received five permits to distribute to eligible persons. Pursuant to administrative rules (571 IAC 101), a person may use a falconry permit to capture, possess, and hunt with certain raptors (a nonresident must obtain a nonresident raptor trapping permit in order to trap a raptor). To be eligible for a peregrine falcon falconry permit, applicants must be a resident general or master falconer with five current consecutive years of field experience.

Four individuals applied and qualified for a peregrine falcon falconry permit. Because Iowa received five permits, each applicant will be offered a permit. In order to increase participation, Department of Natural Resources staff is considering abandoning the lottery drawing for future years and instead allowing any qualified falconer to attempt to capture a falcon then use a quick-reporting system to ensure that no more than the permitted number of falcons are captured.

Next Meeting. The next meeting will be held virtually on September 7, 2022.

LSA Staff Contact: Joe Simpson, 515.725.2251 or Joe.Simpson@legis.iowa.gov