

NATURAL RESOURCE COMMISSION[571]

Adopted and Filed

Pursuant to the authority of Iowa Code sections 462A.32(2) and 455A.5(6)“a,” the Natural Resource Commission hereby amends Chapter 40, “Boating Speed and Distance Zoning,” Iowa Administrative Code.

The amendment adds a “no wake” zone (speed no greater than 5 miles per hour) on the Mississippi River adjacent to the City of Clayton within a zone extending 150 feet from shore and beginning at a point 1,012 feet north of Mississippi River Day Marker 624.7R and extending south to a point 1,012 feet south of the same marker (624.7R). This reduction in speed along the city’s waterfront will reduce the risk of high-wave damage to public access docks, private business and personal docks, reduce erosion of the city’s river banks, and avoid personal injuries of citizens and tourists enjoying the waterside area.

Notice of Intended Action was published in the Iowa Administrative Bulletin on July 9, 2014, as **ARC 1530C**. A public hearing was held on July 31, 2014. No one attended the hearing, and no comments were received. One inquiry was received requesting further information about the rule, and the Department of Natural Resources provided responses to that individual. No changes from the Notice of Intended Action were made.

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

This rule is intended to implement Iowa Code section 462A.32(2).

This rule will become effective November 5, 2014.

The following amendment is adopted.

Adopt the following new rule 571—40.60(462A):

571—40.60(462A) Zoning of the Mississippi River, Clayton, Clayton County.

40.60(1) All vessels, except commercial barge traffic, shall be operated at a speed no greater than 5 miles per hour within an area extending 150 feet from shore and beginning at a point 1,012 feet north of Mississippi River Day Marker 624.7R and extending south to a point 1,012 feet south of the same marker (624.7R).

40.60(2) The city of Clayton shall designate and maintain the 5-mile-per-hour speed zone with buoys approved by the natural resource commission.

[Filed 9/12/14, effective 11/5/14]

[Published 10/1/14]

EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 10/1/14.