

**NATURAL RESOURCE COMMISSION[571]**

**Adopted and Filed Emergency After Notice**

**Rulemaking related to contracts and waivers**

The Natural Resource Commission (Commission) hereby rescinds Chapter 7, “Rules of Practice in Contested Cases,” and adopts a new Chapter 7 with the same title; rescinds Chapter 8, “Contracts for Public Improvements and Professional Services,” and adopts a new Chapter 8, “Contracts for Services and Public Improvements”; and rescinds Chapter 11, “Waivers or Variances from Administrative Rules,” and adopts a new Chapter 11, “Waivers from Administrative Rules,” Iowa Administrative Code.

*Legal Authority for Rulemaking*

This rulemaking is adopted under the authority provided in Iowa Code sections 17A.3, 17A.9A, 17A.22, 455A.4 and 573.12(13).

*State or Federal Law Implemented*

This rulemaking implements, in whole or in part, Iowa Code sections 17A.3, 17A.9A, 17A.22, 455A.4 and 573.12(13) and Executive Order 10.

*Purpose and Summary*

New Chapter 8 adopts by reference the Department of Natural Resources’ (Department’s) process for soliciting and awarding contracts for services, contracts for public improvements, and contracts for sale of timber found in 561—Chapter 8 (ARC 9434C, IAB 7/23/25, effective 8/27/25). 561—Chapter 8 was amended and simplified consistent with Executive Order 10.

New Chapter 11 adopts by reference the process for a person to petition the Environmental Protection Commission for a waiver from the requirements of an administrative rule as contained in 561—Chapter 10 (ARC 9436C, IAB 7/23/25, effective 8/27/25). 561—Chapter 10 was amended and simplified consistent with Executive Order 10.

*Public Comment and Changes to Rulemaking*

Notice of Intended Action for this rulemaking was published in the Iowa Administrative Bulletin on October 15, 2025, as ARC 9593C. Virtual meetings were held on the following dates:

- November 4, 2025
- November 5, 2025

No one attended either public hearing. No public comments were received. No changes from the Notice have been made.

*Reason for Waiver of Normal Effective Date*

Pursuant to Iowa Code section 17A.5(2)“b”(1)(b), the Commission finds that the normal effective date of this rulemaking, 35 days after publication, should be waived and the rulemaking made effective on December 15, 2025, because this rulemaking removes restrictions and confers a benefit on the Commission, the Department, regulated entities, contractors and vendors, and the general public. All three underlying chapters adopted by reference were reviewed and simplified by removing regulations and restrictive terms as required by Executive Order 10.

In more detail, new Chapter 8 has incorporated higher contract approval thresholds, allowing the Department to quickly award contracts for services and public improvements without having to wait a month or more for Commission approval. This change is a significant benefit to many parties. In addition to the Department, this change will benefit the general public who will use the resulting projects and infrastructure, as well as associated industry, who seek business transactions with the state.

Likewise, new Chapter 11 contains streamlined waiver standards that ensure environmental, natural resources, and public health standards are met through an alternative compliance requirement.

Finally, new Chapter 7 has been updated to reflect modern electronic filing systems, eliminating antiquated paper and ink requirements. This will streamline contested case filings and proceedings, saving all parties both time and money.

#### *Adoption of Rulemaking*

This rulemaking was adopted by the Commission on December 11, 2025.

#### *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.

#### *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).

#### *Effective Date*

This rulemaking became effective on December 15, 2025.

The following rulemaking action is adopted:

ITEM 1. Rescind 571—Chapter 7 and adopt the following **new** chapter in lieu thereof:

#### CHAPTER 7 RULES OF PRACTICE IN CONTESTED CASES

**571—7.1(17A) Adoption by reference.** The commission adopts by reference 561—Chapter 7. This rule is intended to implement Iowa Code section 17A.22.

ITEM 2. Rescind 571—Chapter 8 and adopt the following **new** chapter in lieu thereof:

#### CHAPTER 8 CONTRACTS FOR SERVICES AND PUBLIC IMPROVEMENTS

**571—8.1(17A) Adoption by reference.** The commission adopts by reference 561—Chapter 8. This rule is intended to implement Iowa Code sections 17A.3, 455A.4, and 573.12(13).

ITEM 3. Rescind 571—Chapter 11 and adopt the following **new** chapter in lieu thereof:

#### CHAPTER 11 WAIVERS FROM ADMINISTRATIVE RULES

**571—11.1(17A) Adoption by reference.** The commission adopts by reference 561—Chapter 10.

**571—11.2(17A) Report to commission.** The director shall submit reports of decisions regarding requests for waivers to the commission at its regular meetings.

These rules are intended to implement Iowa Code section 17A.9A.

[Filed Emergency After Notice 12/15/25, effective 12/15/25]

[Published 1/7/26]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 1/7/26.