Regulatory Analysis

Notice of Intended Action to be published: 575—Chapters 1 through 3
"State Preserves"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 465C.8 and 455A.5(6)"a"
State or federal law(s) implemented by the rulemaking: Iowa Code chapter 465C

Public Hearing

A public hearing at which persons may present their views orally will be held via virtual meeting as follows:

September 24, 2025 10 a.m.	Via videoconference

Persons who wish to attend the virtual meeting should contact John Pearson via email at john.pearson@dnr.iowa.gov. A link will be provided prior to the hearing. Persons who wish to make oral comments at the virtual public hearing must submit a request to John Pearson prior to the hearing to facilitate an orderly hearing.

Free language assistance: If you need assistance in a language other than English, contact the Department of Natural Resources (Department) at john.pearson@dnr.iowa.gov or civilrights@dnr.iowa.gov or by telephone at 515.669.7614 at least seven days before the event.

Asistencia lingüística gratuita: Si necesita ayuda en un idioma que no sea inglés, comuníquese con el Departamento al john.pearson@dnr.iowa.gov o civilrights@dnr.iowa.gov o por teléfono a 515.669.7614 al menos siete días antes del evento.

Public Comment

Any interested person may submit written or oral comments concerning this Regulatory Analysis, which must be received by the Department no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

John Pearson
6200 Park Avenue, Suite 200
Des Moines, Iowa 50321
Phone: 515.669.7614
Email: john.pearson@dnr.iowa.gov

Free language access: If you speak a non-English language, the Department offers language assistance services free of charge. Contact the Department at john.pearson@dnr.iowa.gov.

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Purpose and Summary

Agency number [575] of the Iowa Administrative Code contains chapters regulating State preserves. Preserves are the highest classification of public land and exist to protect significant natural, geological, historical, archaeological, and scenic sites in Iowa. The rules also govern the State Preserves Advisory Board and include provisions for its membership, operation, reporting requirements, and recordkeeping procedures. Recent changes to the Iowa Code eliminated this Board and transferred its authority and duties to the Department and the Natural Resource Commission (Commission). For this reason, many of the existing provisions in 575—Chapters 1 through 3 are now no longer relevant. This rulemaking proposes to remove those irrelevant provisions and then

consolidate the remaining provisions into a single "State Preserves" chapter. This new chapter would then be transferred to the Commission's jurisdiction under 571—Chapter 60.

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**

- **Classes of persons that will bear the costs of the proposed rulemaking:**

There are no costs associated with this rulemaking.

- **Classes of persons that will benefit from the proposed rulemaking:**

Anyone with an interest in State preserves may benefit from this rulemaking through simplification and consolidation of the rules.

2. **Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:**

- **Quantitative description of impact:**

Not applicable. This revision simplifies existing rules with no added costs.

- **Qualitative description of impact:**

These rules are simplified by eliminating obsolete language.

3. **Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

There are no costs associated with this rulemaking. The preserves program will continue to be administered by Department staff.

- **Anticipated effect on State revenues:**

There are no anticipated effects on State revenues.

4. **Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:**

There are no costs associated with this rulemaking. This rulemaking is necessitated by changes to the Iowa Code.

5. **Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

This rulemaking is required by changes to the Iowa Code.

6. **Alternative methods considered by the agency:**

- **Description of any alternative methods that were seriously considered by the agency:**

No alternative methods were considered.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

Not applicable.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

This rulemaking does not have a significant impact on small business.

Text of Proposed Rulemaking

ITEM 1. Rescind 575—Chapter 1 and adopt the following **new** chapter in lieu thereof:

CHAPTER 1
STATE PRESERVES

575—1.1(465C) Duties as to state preserves. The natural resource commission is charged with the responsibility of locating, identifying, evaluating, and dedicating areas as state preserves.

575—1.2(465C) Types of preserves. There shall be five major classes of preserves.

1.2(1) *Natural preserves.* These areas contain natural communities; habitats; native flora and fauna; or endangered, threatened, or rare organisms.

1.2(2) *Archaeological preserves.* These areas contain significant deposits left by prehistoric or early historic peoples.

1.2(3) *Historical preserves.* These are sites that contain structures or places that are of significance in studying the tenure of humans in Iowa since the advent of the first Euro-American explorers.

1.2(4) *Geological preserves.* These are areas that contain rare or distinctive landforms, fossils, stratigraphic sections, mineral deposits or examples of mining history; type or reference sections; or other special features or deposits that represent the events and processes of Iowa's earth history.

1.2(5) *Scenic preserves.* These are areas that contain scenic features of aesthetic, scientific, or educational value.

575—1.3(465C) Management provisions.

1.3(1) *Administration and management.* The administrative and management authority for a preserve shall be agreed upon by the commission, the property owner, and the manager.

1.3(2) *Management plan.* For each preserve, an authorized representative of the owner shall prepare a management plan in consultation with department staff. The management plan shall be consistent with the articles of dedication and shall include identification of uses of the preserve that are compatible and incompatible with its dedication as a preserve. The management plan shall be amended periodically, as appropriate, in response to new information. The management plan and amendments shall be submitted to the commission for approval. The department shall keep a copy of the current management plan. A management plan for a new preserve shall be submitted for approval by the commission in conjunction with approval of dedication of the preserve. Management plans for existing preserves shall be prepared and submitted for approval as resources are available.

These rules are intended to implement Iowa Code section 465C.8.

ITEM 2. Transfer **575—Chapter 1** as **571—Chapter 60**.

ITEM 3. Rescind and reserve **575—Chapter 2**.

ITEM 4. Rescind and reserve **575—Chapter 3**.