ENVIRONMENTAL PROTECTION COMMISSION[567]

Regulatory Analysis

Notice of Intended Action to be published: 567—Chapter 2
"Public Records and Fair Information Practices"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 17A and 22.11
State or federal law(s) implemented by the rulemaking: Executive Order 10 (2023)

Public Hearing

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

September 24, 2025 1 to 2 p.m.	Yellow River Conference Room 6200 Park Avenue, Suite 200 Des Moines, Iowa

Free language access: If you speak a non-English language, the Department of Natural Resources (Department) offers you language assistance services free of charge. Contact the Department at kelli.book@dnr.iowa.gov.

Asistencia lingüística gratuita: Si habla un idioma que no sea el inglés, los servicios de asistencia lingüística están disponibles de forma gratuita. Comuníquese con el Departamento al kelli.book@dnr.iowa.gov.

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 September 24, 2025. Comments should be directed to:

Kelli Book
Iowa Department of Natural Resources
6200 Park Avenue, Suite 200
Des Moines, Iowa 50321
Phone: 515.210.3408
Email: kelli.book@dnr.iowa.gov

Free language assistance: If you need assistance in a language other than English, contact the Department at kelli.book@dnr.iowa.gov or civilrights@dnr.iowa.gov or by telephone at 515.210.3408 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 kelli.book@dnr.iowa.gov o civilrights@dnr.iowa.gov o por teléfono a 515.210.3408 al menos siete días antes del evento.

Purpose and Summary

Proposed Chapter 2 establishes the Department's policies and procedures for the maintenance of records. This chapter facilitates public access to open records and provides the procedures for identifying and protecting confidential records. The chapter implements provisions of the Fair Information Practices Act. The Environmental Protection Commission proposes to adopt 561—Chapter 2 by reference. Accordingly, the following Regulatory Analysis contains the substance for the underlying 561—Chapter 2.

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 to the general public; this chapter is mostly procedural and descriptive in nature. Those requesting a public record may incur a cost associated with fees prescribed by law and rule.

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

This rulemaking provides procedural structure of public and confidential records for the general public and regulated entities. Those parties will benefit from clear and concise rules as to how records will be maintained by the Department.

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:**

There are no costs associated with this proposed rulemaking.

- **Qualitative description of impact:**

There are no costs associated with this proposed rulemaking. This rulemaking provides the procedural structure of public and confidential records for the general public and regulated entities. Those parties will benefit from clear and concise rules as to how records will be maintained by the Department.

3. **Costs to the State:**

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

There are no costs associated with this proposed rulemaking.

- **Anticipated effect on State revenues:**

There will be no impact on State revenues associated with this proposed rulemaking.

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

Not applicable.

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

Not applicable.

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

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

None were considered.

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

The rulemaking is consistent with the provisions of Iowa Code chapter 22.

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 has no impact on small business. The rulemaking will benefit small businesses by providing clear and concise rules as to how records will be maintained by the Department.

Text of Proposed Rulemaking

ITEM 1. Rescind 567—Chapter 2 and adopt the following **new** chapter in lieu thereof:

CHAPTER 2
PUBLIC RECORDS AND FAIR INFORMATION PRACTICES

567—2.1(17A,22) Adoption by reference. The commission adopts by reference 561—Chapter 2.

This rule is intended to implement Iowa Code section 22.11.