Regulatory Analysis

Notice of Intended Action to be published: 571—Chapter 16
"Docks and Other Structures on Public Waters"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 461A.4 and 462A.3

State or federal law(s) implemented by the rulemaking: 2025 Iowa Acts, House File 710, and Iowa Code sections 461A.4 and 461A.18

Public Hearing

A public hearing at which persons may present their views orally will be held via virtual meeting as follows. Persons who wish to attend the virtual meeting should contact Greg Harson via email. 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 Greg Harson prior to the hearing to facilitate an orderly hearing.

October 21, 2025 10 a.m.	Virtual

Free Language Assistance: If you need assistance in a language other than English, contact the Department of Natural Resources at gregory.harson@dnr.iowa.gov or civilrights@dnr.iowa.gov or by telephone at 712.260.1040 at least seven days before the event.

Asistencia lingüística gratuita: Si necesita ayuda en un idioma que no sea inglés, comuníquese con el Departamento de Recursos Naturales al gregory.harson@dnr.iowa.gov o civilrights@dnr.iowa.gov o por teléfono a 712.260.1040 al menos siete días antes del evento.

Public Comment

Any interested person may submit written 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:

Greg Harson
Iowa Department of Natural Resources
122 252nd Avenue
Spirit Lake, Iowa 51360
Email: gregory.harson@dnr.iowa.gov

Free Language Access: If you speak a non-English language, language assistance services are available free of charge. Contact the Department at gregory.harson@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 gregory.harson@dnr.iowa.gov.

Purpose and Summary

Chapter 16 regulates docks on water bodies open to the public for boating and other recreational activities. It includes a permitting system and rules that seek to balance the needs of dock owners with those of the general public, and to reduce conflicts between neighboring dock owners. Among these rules are limitations on enclosing docks and hoists with sides and roofs as well as restrictions of what materials may be used for such purposes. 2025 Iowa Acts, House File 710, creates a new Iowa Code section that allows for a person with a class I or III dock permit to construct a roof over a slip or hoist, subject to a number of requirements including material requirements, size limits, limits on what

structures may be enclosed, a prohibition on habitation, and an insurance requirement. These new provisions of the Iowa Code supersede existing Chapter 16 provisions. As such, this rulemaking is necessary in order to bring the relevant Chapter 16 provisions into harmony with the Iowa Code.

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. This rulemaking modifies existing restrictions on dock and hoist roof and side materials in order to conform to a newly enacted Iowa Code section. Any private dock owner who wishes to take advantage of this new Iowa Code section must obtain insurance as required by that Iowa Code section.

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

Private dock owners may benefit from having more flexibility in choosing the materials used for hoist or slip roofs or sides as mandated by changes to the Iowa Code.

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 rulemaking. This rulemaking implements changes necessitated by changes to the Iowa Code.

- **Qualitative description of impact:**

There are no impacts or costs caused by this rulemaking, which amends Chapter 16 to be consistent with the Iowa Code.

3. **Costs to the State:**

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

There are no new implementation or enforcement costs borne by the Department. The Department's Law Enforcement Bureau will monitor compliance through its existing dock inspection and permitting duties.

- **Anticipated effect on State revenues:**

There is no anticipated effect on State revenues.

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

Not applicable. No cost/benefit analysis has been conducted because this rulemaking is required 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:**

Not applicable. The purpose of this rulemaking is to ensure Chapter 16 is consistent with the underlying Iowa Code.

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:**

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 an impact on small business.

Text of Proposed Rulemaking

ITEM 1. Amend subrule 16.3(7) as follows:

16.3(7) ~~*No enclosure*~~ *Enclosure of* ~~*private*~~ *docks.* ~~Private docks and docks in dock management areas shall not be enclosed by roofs or sides. Hoists may be enclosed by roofs and sides constructed of soft-sided natural fiber or synthetic fiber materials for the purpose of protecting watercraft.~~

a. Class I and Class III docks. Hoists may be enclosed by roofs and sides constructed of soft-sided natural fiber or synthetic fiber materials for the purpose of protecting watercraft, or by a roof constructed pursuant to Iowa Code section 462A.27B.

b. Class II, Class IV, and dock management area docks. Docks, hoists and slips shall not be enclosed unless authorized by the relevant dock or slip permit. Authorization may be restricted as needed to minimize adverse visual impact on owners of other property and the public or to ensure public safety, navigation, and access as appropriate.

ITEM 2. Rescind and reserve subrule **16.7(5)**.

ITEM 3. Renumber subrule **16.7(6)** as **16.7(5)**.