

CHAPTER 1
DESCRIPTION OF ORGANIZATION

561—1.1(17A,455A) Authority. The department of natural resources was created by an Act of the general assembly (Acts of the Seventy-First General Assembly, chapter 1245, 1986) through the consolidation of several departments and divisions to assist coordination among the natural resource and environmental agencies at all levels of government within Iowa.

561—1.2(17A,455A) Mission and programs. The department has the primary responsibility for state parks and forests, protecting the environment, and managing energy, fish, wildlife, and land and water resources in this state. The mission of the department is to conserve and enhance our natural resources in cooperation with individuals and organizations to improve the quality of life in Iowa.

1.2(1) Air pollution. The department is the agency of the state to prevent, abate, and control air pollution by developing comprehensive plans and programs, establishing air quality and emission standards, issuing permits for construction of air contaminant sources and control equipment, issuing operating permits, requiring monitoring of air contaminant sources to ensure compliance, enforcing standards and permit requirements, providing technical assistance and educational and training programs, and reviewing and evaluating local control programs.

1.2(2) Drinking water. The department is the agency of the state to conduct the public water supply program by adopting drinking water standards; issuing construction and operation permits for public water supplies; certifying the operators of certain public water supplies; enforcing the statutes, rules, and permits relating to public drinking water supplies; and administering the state revolving fund for drinking water. The department also provides minimum standards for private drinking water supplies which are regulated by local boards of health, administers grants to counties to assist in carrying out their responsibilities, and certifies well construction contractors.

1.2(3) Energy. The department is the agency of the state to establish and implement plans and policies that ensure wise development, use and management of all energy sources in the state by preparing for energy emergencies; allocating energy supplies; developing and delivering statewide energy management programs, including financial assistance programs; commercializing and promoting indigenous alternative energy sources, including wind, biomass and other renewable energy resources; and collecting, evaluating and disseminating energy information to citizens and public officials.

1.2(4) Fish and wildlife. The department is the agency of the state to manage fish and wildlife resources by licensing activities impacting fish and game; enforcement of fish and wildlife laws and rules; land acquisition and other habitat development; collection and dissemination of information; establishing public hunting, fishing, and trapping areas; propagating, purchasing, restoring, nurturing, stocking or otherwise managing fish and wildlife; advising and assisting private and local government management of fish and wildlife; and carrying on active programs for the protection, interpretation and public enjoyment of fish and wildlife species.

1.2(5) Flood plain development. The department is the agency of the state to promote the protection of life and property from flooding and to protect and conserve the water resources of the state through regulation of construction and excavation within floodways and flood plains by establishing administrative thresholds for the types of flood plain development which require a permit from the department; issuing appropriate permits; developing a flood plain mapping plan; and enforcing the statutes, rules, and permits relating to flood plain development.

1.2(6) Forests and prairies. The department is the agency of the state to manage and protect forests of the state by providing professional forestry advice to landowners; assisting landowners with woodland protection from insects, disease, fire, and livestock; managing state forests for educational, recreational, and economic benefits; providing nursery stock; and regulating timber buyers.

1.2(7) Geology. The department is the agency of the state to plan and implement programs that result in the acquisition of comprehensive geologic information on the mineral and water resources of the state with emphasis on water supply developments; to monitor the effects of environmental impacts on water quality, including surface and groundwater; to regulate oil, gas, or metallic mineral exploration

and production; and to disseminate information through publications, consultation services, and electronically in the form of databases that comprise the department's geographic information system.

1.2(8) *Hazardous materials and conditions.* The department is the agency of the state to prevent, abate, and control hazardous conditions resulting from releases of hazardous substances to the natural environment by issuing site licenses for certain hazardous waste facilities; maintaining a registry of hazardous waste or hazardous substance disposal sites; responding to hazardous conditions; regulating certain underground storage tanks; enforcing the statutes and rules relating to hazardous conditions and underground storage tanks; and informing and educating the public about hazardous materials.

1.2(9) *Parks, recreation, and preserves.* The department is the agency of the state to facilitate and promote public outdoor recreational opportunities by developing comprehensive plans; acquiring, establishing, planning, and managing specific parks, preserves, and water bodies for public use; advising and assisting local governments and private persons in establishing such facilities; licensing and permitting private use of sovereign land and waters; regulating water navigation safety and snowmobiling; informing the public of use opportunities; enforcing conservation laws; and protecting and managing threatened and endangered plant and animal species.

1.2(10) *Solid waste.* The department is the agency of the state to regulate the handling and disposal of solid waste by establishing standards for the handling and disposal of solid waste; issuing construction and operation permits for solid waste facilities; and enforcing the statutes, rules, and permits relating to solid waste handling. The department also establishes rules relating to beverage container redemption, which are enforced by local officials. The department is also the agency of the state to educate and promote sustainable practices of pollution prevention and responsible waste management.

1.2(11) *Water pollution.* The department is the agency of the state to prevent, abate, and control surface and groundwater pollution by developing comprehensive plans and programs; establishing standards for water quality and treatment of wastewater; issuing permits for the construction and operation of wastewater disposal systems and animal feeding operations; certifying public wastewater treatment plant operators; administering a loan program for construction of publicly owned wastewater disposal systems; regulating other potential sources of groundwater contamination; enforcing the statutes, rules, and permits relating to water pollution control; and informing and educating the public. The department also establishes minimum standards for private sewage disposal systems which are regulated by local boards of health, administers grants to counties to assist in carrying out their responsibilities, and certifies manure applicators.

1.2(12) *Water use.* The department is the agency of the state to ensure the orderly development, wise use, protection, conservation, and public understanding of the surface and groundwater resources of the state by issuing appropriate permits for the withdrawal, diversion or storage of water; by enforcing statutes, rules, and permits relating to the use of water; by allocating water during periods of shortage; and through public information activities.

561—1.3(17A,455A) Organization.

1.3(1) *General.* The department's organizational structure consists of the natural resource commission, the environmental protection commission, the state advisory board for preserves, the director, the deputy director, and seven administrative divisions, described in subrule 1.3(2).

The natural resource commission is responsible for establishing policy and adopting rules for natural resource conservation, management, and recreation programs of the department. This commission also acts as a hearing authority in contested cases, and approves or disapproves land and water acquisitions or dispositions. The substantive rules of the natural resource commission are found under agency number 571 of the Iowa Administrative Code.

The environmental protection commission is responsible for establishing policy and adopting rules for the control and protection of the state's water and air resources, and for the management of wastes. This commission also acts as hearing authority in contested cases, and issues site licenses for certain hazardous waste facilities. The substantive rules of the environmental protection commission are found under agency number 567 of the Iowa Administrative Code.

The state advisory board for preserves approves land or water areas for dedication as preserves, makes rules, and performs advisory functions related to the establishment and maintenance of preserves. The substantive rules of the state advisory board for preserves are found under agency number 575 of the Iowa Administrative Code.

The energy and geological resource policies are established by the department, and the rules relating to this subject are found under agency number 565 of the Iowa Administrative Code.

The director has rule-making authority for the general operation of the department, and the rules relating to this subject are found under agency number 561 of the Iowa Administrative Code.

1.3(2) Administrative divisions of the department.

a. Director. The director, who is appointed by the governor and subject to confirmation by the senate, and who serves at the pleasure of the governor, is the chief administrative officer of the department. In that capacity the director administers the programs and services of the department in compliance with the Iowa Code and the rules adopted by the commissions or department. The duties of the director include: recommending to the commissions the adoption of rules for the effective administration of the department and implementation of the programs and services of the department; promulgating rules related to energy and geological services and the organization of the department; preparation of the annual budget request and federal grant applications; establishment of the administrative structure of the department; and other actions to administer and direct the programs of the department.

The administrators of the seven divisions, the deputy director, and the information and education bureau chief report to the director.

The information and education bureau provides information and education to the public on department programs and relevant natural resources issues. Activities include publishing the "Iowa Conservationist" and other publications; videos and exhibits; communications with news media; providing communications services to other divisions; and conducting conservation education programs.

b. Deputy director. The deputy director, appointed by the director, directs and administers the department in the director's absence, and carries out other duties as assigned by the director.

c. Administrative services division. The administrative services division is responsible for budget and finance, administrative support, information technology, licensing, construction services, and land acquisition and management. The division consists of six bureaus:

(1) The budget and finance bureau prepares the agency budget and grant requests and the operating budget; reviews and monitors department budgets and contracts; and conducts special fiscal studies. It is also responsible for maintaining financial records; maintaining an inventory of department equipment and property; processing payrolls, personnel transactions, travel vouchers, and claims for payments of goods and services; processing cash receipts; and coordinating purchasing between field units and the department of general services.

(2) The administrative support bureau provides office support for the department, including records management; forms management; mail; provision of common supplies, central office telephone service and vehicle pool; word processing; data entry; telephone and reception services; technical library management; and information coordination.

(3) The information technology bureau develops and maintains computer-based information systems used by the department, maintains the information technology equipment used by the department, provides information technology user training and assistance for the department, provides system operation services for the department, maintains space for computer-based data files, and serves as the primary contact with the computer centers used by the department.

(4) The licensing bureau provides applications, permits, and licenses which permit the public to engage in environmental activities such as hunting and fishing. The bureau designs and orders forms; distributes forms and supplies to field personnel, county recorders, and license depositories; instructs license sellers on issuing and reporting requirements; supervises county recorders in the registration of boats, snowmobiles and all-terrain vehicles; issues licenses and permits directly through the mail; and certifies persons engaged in application and removal of waste material.

(5) The construction services bureau provides the engineering and contracting services needed for the construction of department facilities. Activities of the bureau include surveying and designing; administering construction contracts; contracting for the services of consulting architectural and engineering firms; and providing technical assistance for the proper operation and maintenance of department facilities.

(6) The land acquisition and management bureau acquires land and coordinates land management practices. Activities of the bureau include negotiating for purchase or donation; providing relocation assistance; preparing or contracting for land appraisals; contracting and recording land surveys; coordinating the leasing of department land; establishing and marking land boundaries; resolving boundary disputes and private encroachment upon state lands; maintaining land records; issuing sand and gravel permits; and coordinating the soil erosion control program above state lakes with the division of soil conservation within the department of agriculture and land stewardship.

d. Parks, recreation, and preserves division. The parks, recreation, and preserves division is responsible for programs relating to water access development, state parks and recreation areas, and preserves. The division consists of the field operations bureau and the program administration bureau.

(1) The field operations bureau manages state parks and recreation areas. Activities include operating and maintaining area facilities; protecting and managing the flora and fauna; monitoring concession operators; providing information to the public concerning use opportunities; and enforcing conservation laws. The bureau includes four district management offices, identified in rule 1.4(17A,455A).

(2) The program administration bureau conducts park master planning, ecosystem management planning, park and resource interpretive programs; administers park concession contracts; maintains the Iowa natural areas inventory database; provides environmental reviews of proposed construction projects; administers a variety of state grant programs for outdoor recreation facilities; provides staff assistance to the state preserves advisory board; provides coordination with the state historic preservation officer on matters dealing with historical and archeological programs; coordinates with other state and local agencies on matters dealing with recreation and natural resource management; coordinates training and certification of park managers in water and waste management systems; carries on strategic planning within the division; and administers a variety of recreation and resource planning programs.

e. Forests and prairies division. The forests and prairies division is responsible for programs relating to state forests and prairies, and operation of the state forest nursery. The division consists of the state forests and management bureau and the forestry services bureau.

(1) The state forests and management bureau manages state forests on a multiple-use basis; provides professional forestry service to the other divisions of the department; provides nursery stock for forestation, erosion control, and wildlife cover; cooperates with the department of corrections in a rehabilitation program for prison inmates; and manufactures wood products for the department and for limited sale.

(2) The forestry services bureau provides professional forestry assistance to private landowners, political subdivisions, and private wood-using industries; provides surplus federal equipment to local fire departments for fire control; participates with federal agencies in various forestry-related programs; and maintains reports of fruit tree and forest reservations from county auditors.

f. Energy and geological resources division. The energy and geological resources division is responsible for programs related to energy, geologic and hydrogeologic investigations, and oil and gas exploration/production. The division consists of the energy bureau and the geological survey bureau.

(1) The energy bureau develops energy policy for the state that includes energy efficiency and renewable energy to meet the state's environmental and economic objectives. The energy bureau manages the energy programs of the state. The bureau gathers data and establishes a data bank; develops public education and communication programs on energy use and management; coordinates with other states on fuel allocation problems; reduces hardship due to energy supply shortages through allocation of state-owned or state-operated energy supplies in conjunction with the federal set-aside program; investigates and recommends to the department legislation on development and use of alternative sources of energy in Iowa and the reduction of dependence on nonrenewable resources; assesses

information to enable the director to determine when the health, safety, or welfare of the people of the state is threatened by an actual or impending acute shortage of usable energy, notifies the governor what emergency measures are necessary, and utilizes the emergency powers that the governor delegates to the department; administers major federal energy management programs in Iowa; develops financial assistance programs for schools, hospitals, communities, industries and public care facilities; and develops a program to annually give public recognition within each congressional district to innovative methods of energy conservation.

(2) The geological survey bureau collects, interprets, and reports information on basic geologic features and products of the state, including information on the availability and quality of both surface and groundwater; conducts various research programs to advance geologic and hydrogeologic knowledge of the state's mineral and water resources; and promotes and regulates oil, gas, and metallic mineral exploration/production in Iowa through issuance of permits and enforcement of statutes and rules related thereto. The bureau has lead responsibility for development, implementation and maintenance of the department's geographic information system (GIS), including management of databases in the natural resources GIS library.

g. Environmental protection division. The environmental protection division is responsible for programs relating to water pollution control, water supply, flood control, and air pollution control. The division consists of the water quality bureau, the air quality bureau, and the compliance and enforcement bureau.

(1) The water quality bureau is responsible for water pollution control, water supply, and flood control programs. The bureau consists of three sections: wastewater, water resources, and water supply.

1. The wastewater section reviews applications and issues or denies permits for the construction and operation of wastewater disposal systems and discharge of wastewater (including animal feeding operations and stormwater), certifies or denies certification of property as pollution control property, and administers the state revolving fund for wastewater.

2. The water resources section is responsible for developing rules and standards for flood plain management, water pollution control (including nonpoint source management), conducting special studies and evaluating alternative control strategies in surface and groundwater quality and reviewing applications and issuing or denying permits for construction or excavation within a floodway or flood plain, coordinating and approving flood control works, providing flood plain information and technical assistance to local governments, and conducting the department's dam safety program. This section also provides technical expertise to other branches and divisions of the department in matters relating to surface water hydrology and hydraulics, and certifies local programs for qualification under the national flood insurance program.

3. The water supply section reviews applications and issues or denies permits for withdrawal, diversion, storage, or use of water, and for the construction and operation of public drinking water supplies. This section is also responsible for coordination of the allocation of storage for water supply in multipurpose reservoirs constructed with state or federal funds, and performs monitoring and compliance activities related to public drinking water supplies.

(2) The air quality bureau is responsible for air pollution control programs. The bureau consists of four sections.

1. The air construction permits section reviews applications and issues or denies construction permits and tax certifications for air pollution sources and control equipment.

2. The air operating permits section reviews applications for operation of air pollution sources.

3. The air quality program development section develops rules and standards for air pollution control and conducts special studies and evaluates alternative control strategies.

4. The air quality inventory, compliance and monitoring section monitors and seeks to secure compliance with statutes, rules and permit conditions and administers the state's ambient air monitoring program.

(3) The compliance and enforcement bureau conducts investigations of facilities or activities regulated by the division, on its own initiative or in response to citizen complaints, and monitors compliance with the statutes and rules administered by the division. The bureau consists of six field

offices, a legal services group, and an emergency response group. The six field offices, identified in rule 1.4(17A, 455A), provide on-site response to reports of hazardous conditions, natural disasters, and complaints; conduct inspections and make reports on water, air, and waste management facilities; and recommend enforcement actions when necessary and appropriate to fulfill the purpose and function of the division. The legal services group provides legal advice to the department staff and commissions, conducts negotiations, and prosecutes administrative enforcement proceedings to obtain compliance with department statutes and rules; prepares referrals to the attorney general; and drafts or reviews enforcement procedures, legislative proposals, and rules. The emergency response group coordinates department actions and provides technical assistance relating to hazardous conditions.

h. Fish and wildlife division. The fish and wildlife division is responsible for programs relating to wildlife, law enforcement, fisheries, and land acquisition and management. The division consists of the law enforcement bureau, the fisheries bureau, and the wildlife bureau.

(1) The law enforcement bureau enforces conservation laws, primarily those relating to fish and wildlife, boating, and snowmobiling. Other activities include assisting in wildlife and fisheries surveys; providing conservation information to the public; providing hunter safety, boating, and snowmobile safety training; and supervising Iowa's private shooting preserves. This bureau includes six district management offices, identified in rule 1.4(17A,455A).

(2) The fisheries bureau manages the fishery resource. Activities include providing technical advice and assistance on fish management and disease problems in private waters; managing fish populations in public waters; collecting creel statistics; fish hatching and stocking; conducting research studies for the purpose of setting fishing seasons and for scientific knowledge; providing fishing information to the general public; and developing fishing areas and accesses.

(3) The wildlife bureau manages the wildlife resource. Activities include managing wildlife on public lands; advising private landowners on wildlife habitat improvement; conducting research studies for the purposes of setting hunting and trapping seasons and for scientific knowledge; providing wildlife information to the public; and developing and maintaining public wildlife and fishing areas.

i. Land quality and waste management assistance division. The land quality and waste management assistance division is responsible for programs relating to land quality, underground storage tanks, solid waste, hazardous wastes, comprehensive waste management planning, waste management assistance, and siting of some hazardous waste and low-level radioactive waste facilities. The division consists of the land quality bureau and the waste management bureau.

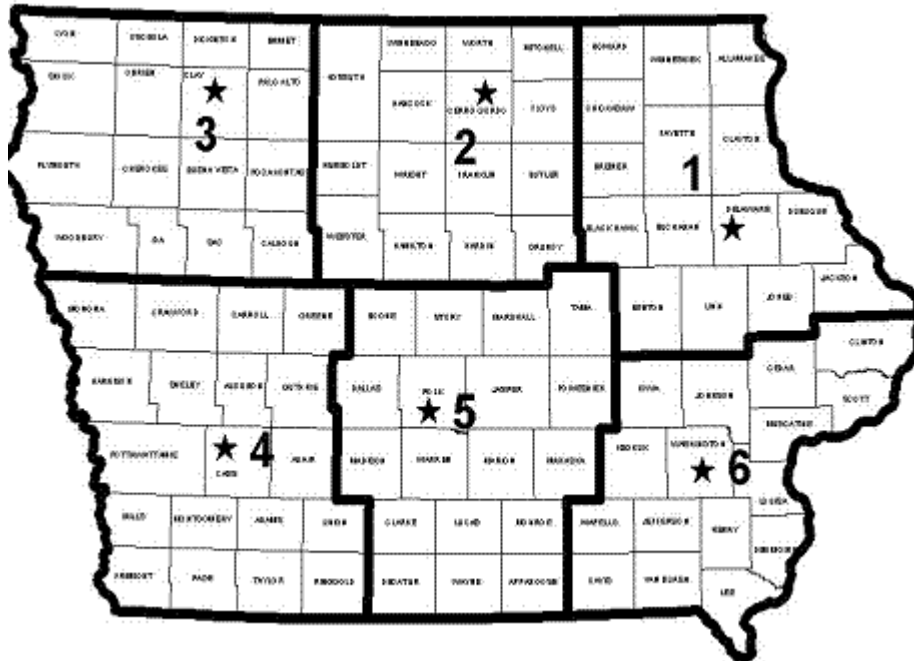
(1) The land quality bureau is responsible for the underground storage tank program and the contaminated sites programs.

(2) The waste management bureau is responsible for the regulatory solid waste program, comprehensive waste management planning, waste management assistance and siting of certain waste management facilities.

561—1.4(17A,455A) Location of offices.

1.4(1) The central office is located on the fourth and fifth floors of the Henry A. Wallace Building, 502 East Ninth Street, Des Moines, Iowa 50319-0034. The general telephone number is (515)281-5145.

1.4(2) The environmental protection division is located in the central office with the following exceptions. The air quality bureau is located at 7900 Hickman Road, Suite 1, Urbandale, Iowa 50322. The water supply section and the emergency response group are located at 401 SW Seventh Street, Suites M and I, Des Moines, Iowa 50309. See the following map for field office locations.



ENVIRONMENTAL PROTECTION DIVISION FIELD OFFICES

Field Office No. 1
 909 W. Main St.
 Manchester, Iowa 52057
 Ph.: (319)927-2640

Field Office No. 2
 2300 15th St. SW
 P.O. Box 1443
 Mason City, Iowa 50401
 Ph.: (641)424-4073

Field Office No. 3
 1900 North Grand Ave.
 Spencer, Iowa 51301
 Ph.: (712)262-4177

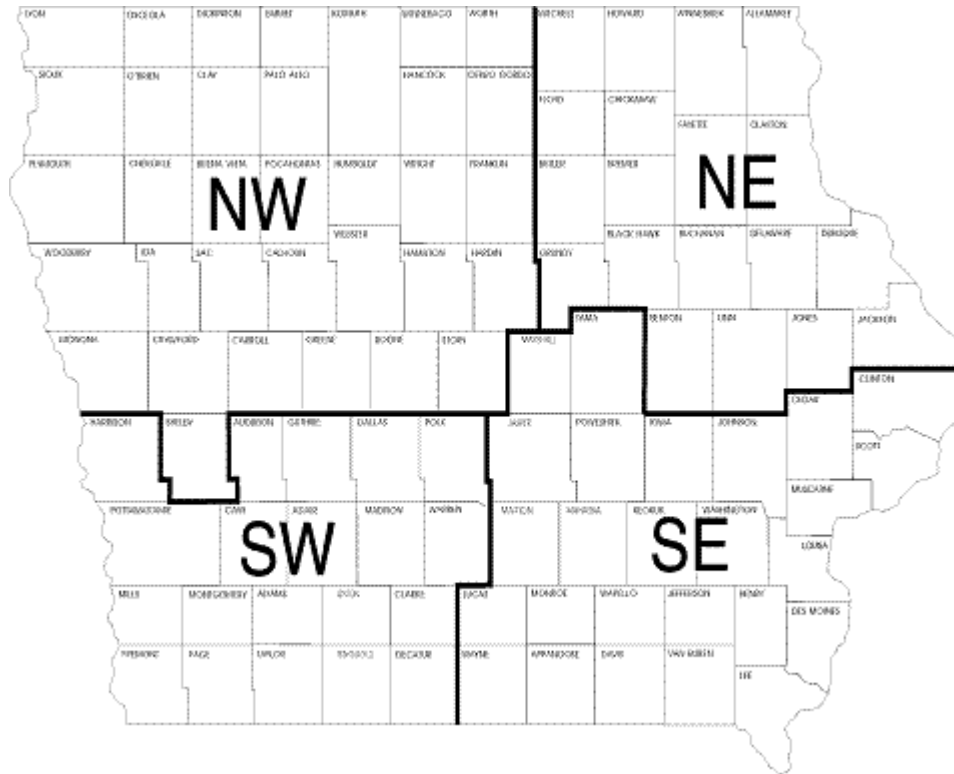
Field Office No. 4
 1401 Sunnyside Lane
 Atlantic, Iowa 50022
 Ph.: (712)243-1934

Field Office No. 5
 401 SW 7th St., Suite I
 Des Moines, Iowa 50309
 Ph.: (515)725-0268

Field Office No. 6
 1004 W. Madison
 Washington, Iowa 52353
 Ph.: (319)653-2135

1.4(3) The state geologist’s office is located at 109 Trowbridge Hall, Iowa City, Iowa 52242-1319, and the telephone number is (319)335-1575.

1.4(4) Parks and recreation bureau district offices.



PARKS AND RECREATION BUREAU DISTRICT OFFICES

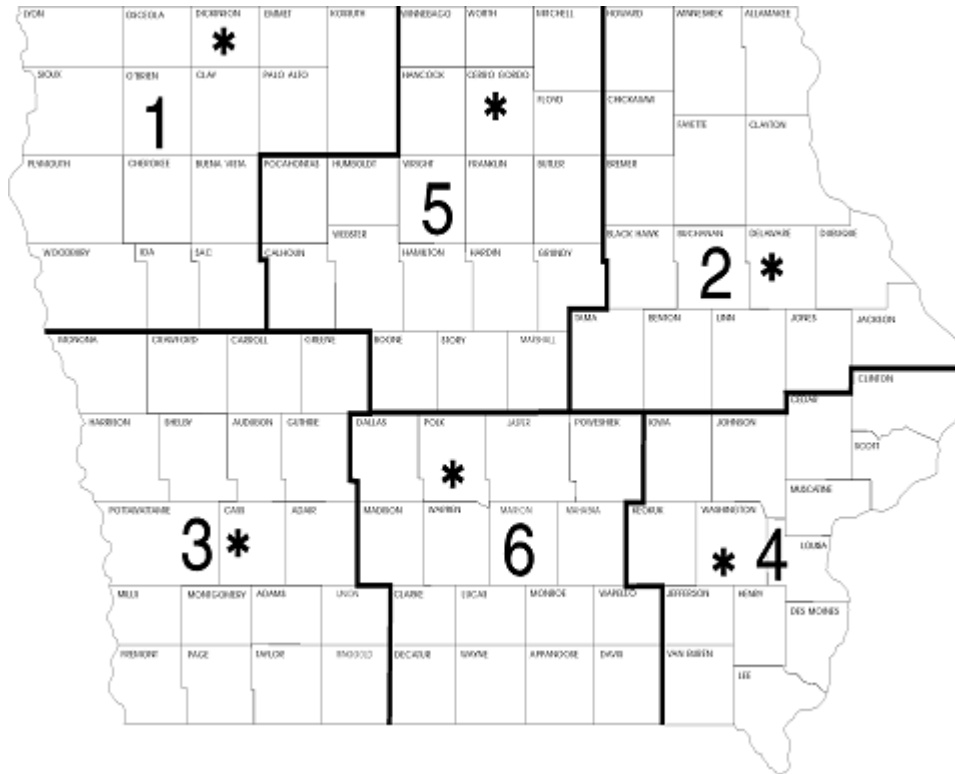
Northwest District Field Office
 Black Hawk State Park
 P.O. Box 619
 Lake View, Iowa 51450
 Ph.: (712)657-2639

Northeast District Field Office
 913 W. Main
 Manchester, Iowa 52076
 Ph.: (319)927-8770

Green Valley District Field Office (SW)
 1480 130th Street
 Creston, Iowa 50801
 Ph.: (515)782-7814

Southeast District Field Office
 Lake Darling State Park
 110 Lake Darling Road
 Brighton, Iowa 52540
 Ph.: (319)694-2430

1.4(5) Fish and wildlife division, law enforcement bureau district offices.



LAW ENFORCEMENT BUREAU DISTRICT OFFICES

District Field Office No. 1
 Spirit Lake Hatchery
 122 252nd Avenue
 Spirit Lake, Iowa 51360
 Ph.: (712)336-1840

District Field Office No. 2
 Manchester Fish Hatchery
 22693 205th Avenue
 Manchester, Iowa 52057
 Ph.: (319)927-3276

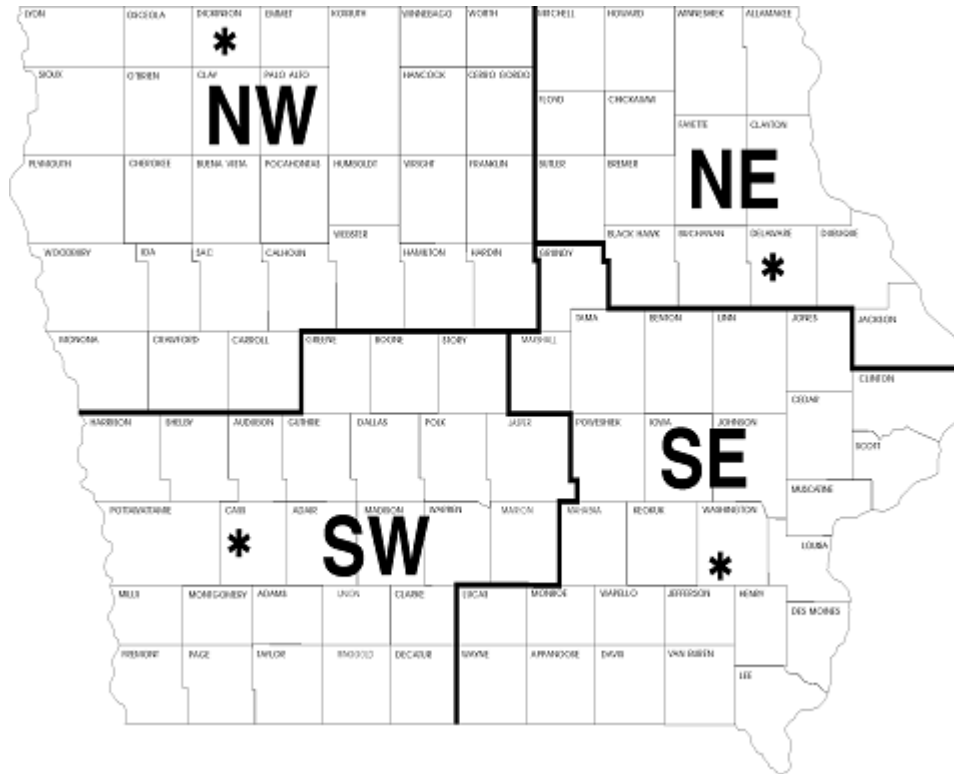
District Field Office No. 3
 Cold Springs State Park
 Lewis, Iowa 51544
 Ph.: (712)709-2587

District Field Office No. 4
 Lake Darling State Park
 110 Lake Darling Road
 Brighton, Iowa 52540
 Ph.: (319)694-2430

District Field Office No. 5
 1203 N. Shore Drive
 Clear Lake, Iowa 50428
 Ph.: (515)357-3517

District Field Office No. 6
 Wallace State Office Building
 Des Moines, Iowa 50319
 Ph.: (515)281-8174

1.4(6) Fish and wildlife division, fisheries bureau district offices.



FISHERIES BUREAU DISTRICT OFFICES

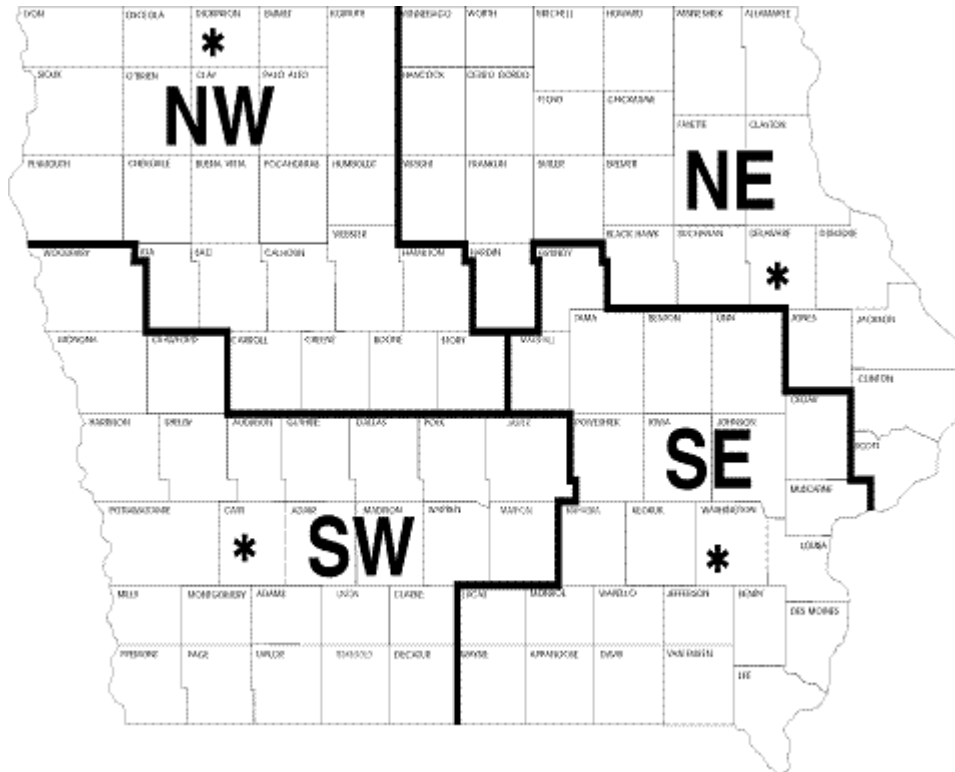
Northwest Field District Office
 Spirit Lake Hatchery
 122 252nd Avenue
 Spirit Lake, Iowa 51360
 Ph.: (712)336-1840

Northeast Field District Office
 Manchester Fish Hatchery
 22693 205th Avenue
 Manchester, Iowa 52057
 Ph.: (319)927-3276

Southwest Field District Office
 Cold Springs State Park
 Lewis, Iowa 51544
 Ph.: (712)709-2587

Southeast Field District Office
 Lake Darling State Park
 110 Lake Darling Road
 Brighton, Iowa 52540
 Ph.: (319)694-2430

1.4(7) Fish and wildlife division, wildlife bureau district offices.



WILDLIFE BUREAU DISTRICT OFFICES

Northwest Field District Office
 Spirit Lake Hatchery
 122 252nd Avenue
 Spirit Lake, Iowa 51360
 Ph.: (712)336-1840

Northeast Field District Office
 Manchester Fish Hatchery
 22693 205th Avenue
 Manchester, Iowa 52057
 Ph.: (319)927-3276

Southwest Field District Office
 Cold Springs State Park
 Lewis, Iowa 51544
 Ph.: (712)709-2587

Southeast Field District Office
 Lake Darling State Park
 110 Lake Darling Road
 Brighton, Iowa 52540
 Ph.: (319)694-2430

561—1.5(455A) Business hours.

1.5(1) *Normal business hours.* The normal business hours of the central office and the field offices are 8 a.m. to 4:30 p.m., Monday to Friday, except holidays.

1.5(2) *Emergency incident reports.* The 24-hour emergency telephone number for the reporting of hazardous conditions and radiation incidents is (515)281-8694. During nonbusiness hours this number is answered by staff of the department of public safety, who will obtain the caller’s name, telephone number, and information relating to the incident. This information will be forwarded to the staff of the department of natural resources who will contact the caller.

561—1.6(17A,455A) Internet Web site. The department's Internet home page is located at <http://www.state.ia.us/dnr/>.

These rules are intended to implement Iowa Code section 17A.3(1)“a” and chapter 455A.

[Filed 12/12/86, Notice 11/5/86—published 12/31/86, effective 2/4/87]

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