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HON. ROBY SMITH  
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SECRETARY OF AGRICULTURE



## Executive Council of Iowa

CAPITOL BUILDING  
DES MOINES, IOWA 50319  
PHONE: 515 281-5368

May 1, 2023

Accounting Department  
Office of the Treasurer  
Lucas Building  
321 E 12<sup>th</sup> Street  
Des Moines, IA, 50319

The Executive Council, in a meeting held on this date, approved the Department of Natural Resources' request for an emergency allocation in the amount of \$228,938.21, subject to audit of actual invoices. On March 18, 2019, Wildlife Management Areas in Mills, Fremont and Pottawattamie counties were damaged by a flood. Request was to cover repair costs not covered by FEMA.

EXECUTIVE COUNCIL OF IOWA

*Victoria Newton*

Victoria Newton  
Executive Secretary

cc: Kayla Lyon, Director, Department of Natural Resources  
Monica Thelen, Wildlife Bureau, Department of Natural Resources  
Kara Bryant, Federal Aid Coordinator, Department of Natural Resources  
Joel Lunde, Department of Management  
Linda Leto, Department of Management

AOS Claim # 1729  
TOS Job # \_\_\_\_\_



OFFICE OF AUDITOR OF STATE  
STATE OF IOWA

Rob Sand  
Auditor of State

State Capitol Building  
Des Moines, Iowa 50319-0004

Telephone (515) 281-5834 Facsimile (515) 242-6134

April 18, 2023

Victoria Newton  
Executive Council  
L O C A L

Subject: Flood Damages at Wildlife Management Areas in Mills, Fremont and  
Pottawattamie Counties on March 18, 2019  
Department of Natural Resources  
Claim dated March 10, 2023  
AOS Claim ID: 1729

In accordance with Executive Council policy, we have examined the claim for 29C.20 funds for the above-mentioned damage. The estimated repair costs total \$915,752.88 with FEMA approving grants for 75% of the total. The FEMA share totals \$686,814.67 and the State's share is \$228,938.21. The Department of Natural Resources is requesting an allocation for the State's share.

It is our conclusion that the above-mentioned damage incurred by the Department of Natural Resources is covered by Chapter 29C.20 of the Code of Iowa. Therefore, we recommend an Executive Council allocation in the amount of \$228,938.21, subject to an audit of actual invoices.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ernest H. Ruben, Jr.".

Ernest H. Ruben, Jr., CPA  
Deputy Auditor of State

cc: Kayla Lyon, Director, Department of Natural Resources  
Monica Thelen, Wildlife Bureau, Department of Natural Resources  
Kara Bryant, Federal Aid Coordinator, Department of Natural Resources  
Joel Lunde, Department of Management



March 10, 2023

Victoria Newton  
Executive Council  
State Capitol

Tammy Hollingsworth  
Auditor's Office  
Lucas Building

Subject: Flooding Damage at Nishnabotna Wildlife Unit, Mills, Fremont & Pottawattamie Counties

Victoria and Tammy:

On March 18, 2019, you were sent notification of damages that occurred due to flooding at multiple Wildlife Management Areas (WMA) along the Missouri River in Mills, Fremont & Pottawattamie Counties (Claim ID#1729). Flooding caused damages to dike systems, water control structures and public use facilities on the following WMA's: Riverton, Cooper Creek, Botna Bottoms, Bartlett I-29, Percival I-29, Forney Lake, McPaul I-29, Scott I-29, and Waubonsie Access. FEMA disaster DR4421 was declared that included these areas. We applied for Public Assistance and have worked to develop a project worksheet that includes these repairs. To make the eligible repairs, many cubic yards of fill material will be needed. To keep costs reasonable, the DNR proposed to borrow from adjacent areas rather than commercially source the fill. This required the Department to complete an archaeological survey of the areas and required FEMA to consult with the Iowa State Historic Preservation Office on the activities. That consultation has finally been completed and PW1488 has been obligated. Please find the PW attached. The total approved project cost is \$915,752.88. We are requesting an allocation for our 25% share of this project total, or \$228,938.21.

This information is being submitted to Executive Council as a request for a total allocation of \$228,938.21.

I thank you and the Executive Council members for your time and consideration of this request. Please let me know if you need any additional information.

Sincerely,

*Monica Thelen*

Monica Thelen, Executive Officer II  
Wildlife Bureau

Report Generated on:	01/18/2023 16:26
Data Captured As Of:	01/18/2023 16:26
Disaster Number:	4421
Bundle:	PA-07-IA-4421-PW-01488/

Capture Date: 01/18/2023 16:26				
Federal Emergency Management Agency				
Project Application Grant Report (P.2)				
Disaster: FEMA-4421-DR-IA				
Number of Records: 22				
Applicant ID: 000-UOE95-00 Bundle # : PA-07-IA-4421-PW-01488(1806)			Applicant: IOWA DNR/WILD LIFE BUREAU	
PW #	Cat	Cost Share	Projected Completion Date	Approved PW Amount (\$)
PA-07-IA-4421-PW-01488(1)	G	N	12-31-2022	8,299.94
Facility Number:	1			
Facility Name:	Damage #309073; Riverton - Larson Levee			
Location:				
Scope of Work:				
Facility Number:	2			
Facility Name:	Damage #309074; Riverton - South of Whitehead's Levee			
Location:				
Scope of Work:				
Facility Number:	3			
Facility Name:	Damage #309077; Riverton - Johnson Levee			
Location:				
Scope of Work:				
Facility Number:	4			
Facility Name:	Damage #309078; Riverton - Mill Creek Levee			
Location:				
Scope of Work:				
Facility Number:	5			
Facility Name:	Damage #309079; Riverton - Jensen Levee			
Location:				
Scope of Work:				
Facility Number:	6			
Facility Name:	Damage #309083; Riverton - Thompson Road			
Location:				
Scope of Work:				
Facility Number:	7			
Facility Name:	Damage #309084; Riverton - Thompson Levee			
Location:				
Scope of Work:				

Capture Date: 01/18/2023 16:26

Federal Emergency Management Agency

Project Application Grant Report (P.2)

Disaster: FEMA-4421-DR-IA

Number of Records: 22

Facility Number:	8
Facility Name:	Damage #309086; Riverton - Rose's Dike
Location:	
Scope of Work:	

Facility Number:	9
Facility Name:	Damage #309087; Riverton - Earthen Soil Levee and Levee Roads
Location:	
Scope of Work:	

Facility Number:	10
Facility Name:	Damage #309093; Riverton - Check Station Dike
Location:	
Scope of Work:	

Facility Number:	11
Facility Name:	Damage #309102; Riverton Lost Stop Logs
Location:	
Scope of Work:	

Facility Number:	12
Facility Name:	Damage #309104; Cooper Creek Outlet
Location:	
Scope of Work:	

Facility Number:	13
Facility Name:	Damage #309105; Cooper Creek Dike
Location:	
Scope of Work:	

Facility Number:	14
Facility Name:	Damage #309107; Botna Bottoms Kruse Dike
Location:	
Scope of Work:	

Facility Number:	15
Facility Name:	Damage #309108; Botna Bottoms Deng Dike
Location:	
Scope of Work:	

Facility Number:	16
Facility Name:	Damage #309111; Bartlett I-29
Location:	
Scope of Work:	

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Federal Emergency Management Agency

Project Application Grant Report (P.2)

Disaster: FEMA-4421-DR-IA

Number of Records: 22

Facility Number:	17
Facility Name:	Damage #309113; Percival I-29 Parking lot
Location:	
Scope of Work:	

Facility Number:	18
Facility Name:	Damage #309115; Forney Lake
Location:	
Scope of Work:	

Facility Number:	19
Facility Name:	Damage #309116; McPaul I-29
Location:	
Scope of Work:	

Facility Number:	20
Facility Name:	Damage #309117; Scott I-29
Location:	
Scope of Work:	

Facility Number:	21
Facility Name:	Damage #309118; Waubonsie Access
Location:	
Scope of Work:	

Facility Number:	22
Facility Name:	*****AMENDMENT 1*****
Location:	Fremont and Pottawattamie Counties, IA
Scope of Work:	*****AMENDMENT 1*****

Disaster 4421, occurring from March 12 through June 15, 2019, consisted of heavy rains and flooding that caused damages throughout the State of Iowa. During this period, numerous facilities owned by the Iowa DNR/Wildlife Bureau (Applicant) experienced damages, including levee blowouts, levee washout and scouring, dike sloughing and washing, washed out roads, outlet structure blowouts, siltation and washing out of boat ramps, and access roads washed out.

Version 0 was written to restore these facilities back to their pre-disaster design, function and capacity (in-kind) within the existing footprints and excluded conducting a full EHP review prior to obligation. Version 1 responds to Grantee's request for a change in scope of work (SOW) to have EHP review the project to determine if a Phase I Archaeological Survey is required.

Version 1 is written to include this EHP review. Additionally, after discussion with FEMA Region VII EHP staff, a Phase I Archaeological Survey will indeed be required of the 40 proposed borrow site locations. As such, the additional cost for this survey, which has been estimated at \$7,000.00, has been added to the project's overall estimated cost. As well as IDNR hired OSA to conduct a supplemental geomorphological report, as requested by SHPO during Section 106 consultation. OSA amount to be added to Version 1 is \$6,585.00. Total archaeological expenses = \$13,585.00

"Version 1 addresses specific SHPO/EHP-related conditions (post-Section 106 consultation) limiting the extraction of borrow within the 40 designated borrow locations, see below, that have been consulted on and Iowa SHPO has concurred with a finding of No Adverse Effect to Historic Properties on October 7, 2022. These 40 borrow locations may not be excavated more than 18 inches below surface in depth within fields and ditches may not be excavated to exceed the previous maximum depth of the ditch. IDNR estimates

Federal Emergency Management Agency

Project Application Grant Report (P.2)

Disaster: FEMA-4421-DR-IA

Number of Records: 22

approximately 107,000 cubic yards of fill is needed to repair to pre-disaster condition. On-site borrow is estimated to cost \$5/ cubic yard, whereas commercially sourcing fill is estimated at \$25/ cubic yard. Because of the lower costs, IDNR intends to source as much of the fill as possible from the 40 borrow sites approved by SHPO. This version only captures costs related to material coming from those approved borrow sites. However, if there is not enough material at these approved borrow sites then the applicant will use Contract/Force Account Labor to obtain commercially sourced fill material from an applicable source. An applicable commercial fill source must be a source existing prior to the event (e.g., active quarries, pre-existing stockpiles, material reclaimed from maintained roadside ditches provided the designed width or depth of the ditch is not increased) or commercially procured material. For any FEMA-funded project requiring the use of a non-commercial source or a commercial source that was not permitted to operate prior to the event (e.g., a new pit, agricultural fields, road ROWs, etc.) in whole or in part, regardless of cost, the Applicant must notify FEMA and the Recipient prior to extracting material. FEMA must review any additional non-commercial source, or a commercial fill source that did not exist prior to the event, for compliance with all applicable federal environmental planning and historic preservation laws and executive orders prior to a subrecipient or their contractor commencing borrow extraction. Additional consultation and regulatory permitting may be required. Non-compliance with this requirement may jeopardize receipt of federal finding. Documentation of all borrow sources utilized, both non-commercial and commercial, is required at closeout. The cost for the increase will then have to be addressed in a future version.”

- 1 Bartlett Access - I-29 northwest21 Riverton - SE Larson Tract
- 2 Mc Paul I-29 22 Riverton - SE Larson Tract
- 3 Mc Paul I-30 23 Riverton - SE Larson Tract
- 4 Botna Bottoms (West) 24 Riverton - Johnson - W Larson Tract
- 5 Botna Bottoms (West) 25 Riverton - Johnson - W Larson Tract
- 6 Botna Bottoms (East) 26 Riverton - Johnson - W Larson Tract
- 7 Botna Bottoms (East) 27 Riverton - SE Larson Tract
- 8 Botna Bottoms (East) 28 Riverton Wildlife Area
- 9 Botna Bottoms (East) 29 Riverton - SE Larson Tract
- 10 Riverton - SE Larson Tract 30 Riverton - Johnson - W Larson Tract
- 11 Cooper Creek 31 Riverton - SE Larson Tract
- 12 Riverton - SE Larson Tract 32 Riverton Wildlife Area
- 13 Riverton - SE Larson Tract 33 Waubonsie Access
- 14 Riverton - SE Larson Tract 34 Riverton Wildlife Area
- 15 Riverton - SE Larson Tract 35 Riverton Wildlife Area
- 16 Riverton - SE Larson Tract 36 Riverton Wildlife Area
- 17 Riverton - SE Larson Tract 37 Riverton Wildlife Area
- 18 Riverton - SE Larson Tract 38 Riverton Wildlife Area
- 19 Riverton - SE Larson Tract 39 Riverton Wildlife Area
- 20 Riverton - SE Larson Tract 40 Riverton - Jensen Tract

Version 1 removes (DI#309111) EMMIE #16 of 22 Site 3) Parking Lot at 40.887605/-95.808240 as per email dated 11/14/22 from the state decreasing the project by (-\$5,285.06).

The financial result of this new change in SOW is:  
 - Contract cost of \$868,109.10 increases by \$8,299.94 to \$876,409.04.  
 - PW-1488 obligation of \$907,452.94 increases by \$8,299.94 to \$915,752.88.

Note:  
 Mitigation: This Version Request does not have any impact on the Hazard Mitigation Proposal (HMP).

EHP: The applicant is to follow the extensive EHP guidelines listed in the document write-up above. If there are any changes then the applicant must notify FEMA about said changes and obtain approval.

Procurement: The applicant is to follow Federal Procurement Policies unless they are following a policy that they have adopted that is more stringent.

FEMA is legally prohibited from duplicating benefits from other sources. If Iowa DNR/Wildlife Bureau receives funding from another source for the same work that FEMA funded, FEMA reduces the eligible cost, or de-obligates, funding to prevent a duplication of benefits.

In addition to any specific criteria outlined by FEMA's Environmental and Historical teams, Iowa DNR/Wildlife Bureau is advised that they are required to meet all applicable Federal, State, County, or City regulations regarding property demolition and disposal of any demolition debris.

Iowa DNR/Wildlife Bureau must follow appropriate procurement procedures and processes as required by local policy, state code, and federal regulation.

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Federal Emergency Management Agency

Project Application Grant Report (P.2)

Disaster: FEMA-4421-DR-IA

Number of Records: 22

PW-1488 is recommended eligible provided the necessary reviews are met, all the necessary permits and requirements have been obtained and approved, and Iowa DNR/Wildlife Bureau provides documentation on actual costs associated with PW-1488.

All Version 0 Project Notes remain in effect.

TOTAL ELIGIBLE PROJECT COSTS: \$915,752.88

Total Version increase: \$8,299.94

1 PW	PWs (\$)	Subgrantee Admin Exp. (\$)	Total (\$)
Amount Eligible (\$)	8,299.94	0.00	8,299.94
Federal Share (\$)	6,224.96	0.00	6,224.96