

**MINUTES**  
**OF THE**  
**NATURAL RESOURCES COMMISSION**  
**MEETING**  
**MARCH 10, 2011**

**HELD AT:**

**IOWA DEPARTMENT OF NATURAL RESOURCES**  
**HENRY WALLACE STATE OFFICE BUILDING**  
**502 EAST 9<sup>TH</sup> STREET**  
**DES MOINES, IA 50319**

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**MEETING MINUTES**

**CALL TO ORDER**

The meeting of the Natural Resource Commission was called to order by the NRC Chairperson, Gregory Drees on March 10, 2011 at 9:33 a.m. He then welcomed the public to the meeting and reviewed the public speaking forum guidelines.

**COMMISSIONERS PRESENT**

Gregory Drees, Chairperson  
Richard (Kim) Francisco, Secretary  
Elizabeth Garst  
Dennis Schemmel  
Margo Underwood  
Janelle Rettig

**COMMISSIONERS ABSENT**

Tammi Kircher, Vice-Chairperson

**PUBLIC PARTICIPATION**

- Jeremy Rosanke, Hampton, IA – proposed change in deer hand gun calibers
- Kent Sovern, Des Moines, IA – Iowa Parks Foundation – Friends Group Iowa State Parks Summit to be held April 9, 2011

**1. APPROVAL OF AGENDA WITH PROPOSED CONSENT AGENDA ITEMS (INDICATED BY \* ON AGENDA ITEM TITLES)**

- \*6.1 - Rock Creek Lake State Park, Jasper County – Water Control Structures
- \*7.2 - Lake Darling State Park – Consultant Contract for the Inspection of the Dam and Spillways
- \*7.3 - Big Creek State Park Beach Site Plan
- \*9.1 - South Bear Creek – Winneshiek Co. – Werges
- ~~\*11.3 – Management Agreement – Wapello CCB & Dept. of Corrections~~
- \*15 - USDA Rural Development Grant – Brushy Creek State Recreation Area
- \*16 - Final Rule - Chapter 45, “Boat Motor Regulations”
- ~~\*17 – Chapter 51, Game Management Areas – NOIA~~

**Motion (1)** – Commissioner Francisco  
**Seconded** – Commissioner Rettig  
**Discussion** – Commissioner Underwood requested item#11.3 be removed from the consent agenda and be handled as normal.  
**Motion (2)** – Commissioner Francisco amended his motion to approve to with requested change.  
**Seconded** – Commissioner Rettig  
**Motion (3)** – Later during the meeting Commissioner Garst requested item #17 be removed from the agenda and handled as normal as she has questions.  
**Seconded** – Commissioner Rettig  
**Decision** – Approved by Unanimous Vote

**APPROVED AS PRESENTED**

## 2. APPROVAL OF MINUTES FROM FEBRUARY 10, 2011

**Motion** – Commissioner Rettig motioned to approve the February 10, 2011 minutes.

**Seconded** – Commissioner Francisco

**Discussion** – Commissioner Garst stated that she felt an important part of meeting minutes are the discussion summaries pertaining to each agenda item, this will convey to the public as well as the department staff what the commissioners are asking, concerned about and what initiatives they would like to see. She felt that the minutes being scaled down to only record the motion was not a true reflection of meetings. Especially during the general discussion the meeting minutes should reflect complete sentences from the commissioners to convey their point being made.

**Motion (2)** – Commissioner Rettig motioned to approve the minutes with the amendments.

**Seconded** – Commissioner Francisco

**Decision** – Approved as Amended by Unanimous Vote

**APPROVED AS AMENDED**

## 4. DIRECTOR / DEPUTY DIRECTOR REMARKS

### ➤ Director Lande

- There are a number of legislative items that are of interest to this commission;
  - The mourning dove bill is currently being discussed in the Senate.
  - Another bill that was introduced is HF643 which is the initiative to transfer the 319 Clean Water Act compliance functions, water monitoring and other water quality protection programs from the Department of Natural Resources to the Iowa Department of Agriculture and Land Stewardship (IDALS)
    - Commissioner Garst stated that not only is the program working well now under the DNR, but that there would be significant difficulty in making IDALS both the promoter of water quality programs and solutions as well as the regulator at the same time. How can you be the regulator and advocate simultaneously? The DNR has an unpleasant role because regulation is always a little unpleasant but is a very important role. By trying to combine both the promotion of and regulation of this program under the same umbrella is a very bad idea.

### ➤ Deputy Director Boddy

- Budget
  - The department management team is in process of developing an associated narrative and business plan. The details are not all available yet, but at a minimum seasonal and contract employees will be impacted. There may be as many as 90 FTE's kept open. And, of course, we continue to include equipment, maintenance, office supplies, promotions and other day-to-day cost saving measures. Some of these may involve the frequency of the NRC

- and EPC meetings. As we get the plan further along, we will discuss this with both the NRC and EPC commissions in greater detail.
- State Budget Committees are largely sticking with the Governor's targets; Senate has some additional dollars slated for parks and forestry.
  - Other Legislative highlights:
    - HF78 OWI Boating – has passed the Senate and the House Natural Resources Committee.
    - HF462 Lake Macbride Boats – has passed out of committee.
    - HF500 EPC & NRC Rulemaking – has passed the House Environmental Protection Committee.
    - SF464 Mourning Dove Season – has passed the Senate Natural Resources Committee.
    - HF402 Clean Air Fees – working with the Director and the Association of Business and Industry
    - HSB148 Water Resources Council – has passed out of committee
  - New Commissioners have been appointed to the EPC and NRC. Next month we'll have to say goodbye to Commissioners Garst and Kircher. Commissioner Underwood will have been reappointed for a full term and will be joined in May by Commissioners Conrad Clement from Cresco and Dr. Sally Prickett from Glenwood. We hope to invite those new commissioners to join us for part of the meeting in April so that they can have an opportunity to experience Honey Creek. The meeting date and informational session dates have been flipped to accommodate Director Lande's schedule.
  - Next week Deputy Director Boddy will be attending the North American Wildlife and Natural Resources conference in Kansas City, MO and will attend meetings on lead issues, and participating in a workshop involving broadening the reach of fish and wildlife agencies to serve customers beyond the fishing and hunting community, and will be chairing the Diversity Working Group.
  - Executive Order 71 – Will have an impact on our future rule makings. The rules you see here at the meeting today will ultimately need additional approvals to move forward – so you may not see them posted as promptly as they have been in the past. Moving forward, we will need clearance from the Governor's office and we will be preparing both a jobs and fiscal impact statement for the rules.
  - There will be an Engineering kaizen in April reviewing the current bidding process
  - There will be a presentation on turtles in June – with a potential associated rule making scheduled to get underway in July.

<b>INFORMATIONAL ONLY</b>
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## 5. HONEY CREEK DESTINATION RESORT STATE PARK – MONTHLY UPDATE

- Geoff Baekey along with Andy Woodrick, HCR General Manager and Linda Caird both with Central Group Management (CGM) reviewed with the commission the resorts financials ending January 31, 2010, as well the 90 day forecast.
  - January Actual Vs. Flash
  - Honey Creek Financial Performance
  - Strategic Initiatives / Progress
  - Operating Metrics
  - STR Market Data
  - Guest Satisfaction
  - Sales and Marketing Update
  - Golf Update
  - 90-Day Forecast

### Discussion:

- Commissioner Garst
  - Asked how funding for the asset manager position would be handled for the new fiscal year.
    - Geoff Baekey, Capital Hotel Management and Kelley Myers, DNR Legal will be meeting after the NRC meeting to discuss how that may be structured within the upcoming budget as it is not anticipated that legislation would be passed to fund the asset manager position. Guidance from the Department of Management has been to try and retain the asset manager through the budget process at Honey Creek State Park Resort.
    - Commissioner Garst encouraged staff to try very hard to keep this worthwhile consultant in place. He has helped bring in more monies to the resort than the position costs.
  - Thanked staff for providing the balance sheet it is a very useful document.
  - Asked how the road signage surrounding the resort area was progressing.
    - Deputy Director Boddy explained that the department is still working on the issue but that what is needed is not conducive with DOT rules but is trying to work out the details.
- Commissioner Underwood
  - Asked about if there have been any changes in the customer surveys received.
    - Andy Woodrick, resort General Manager advised that there have been no changes and going forward the survey information would be presented on a quarterly basis.
  - Asked if any on site surveying was being conducted
    - Andy Woodrick explained that this was done during guest check out
- Commissioner Rettig
  - Last month Commission Rettig asked how the Legislature and Media was left with the impression that HCR was making money, after reviewing the financial documents provided stated she now knows the answer, by focusing on the line Income before Management Fee & Fixed Charges which in January the asset manager was quoted as saying the resort lost \$89,327 but in fact had actually lost \$251,491 to date this fiscal year has lost \$659,308 which is \$102,261 over budget.

- Commissioner Drees
  - Asked for updates on the lake levels, marina, and beach construction
    - Jim Lawson explained that the lake level is approximately one foot under normal pool and that the beach area is complete but would be advertised as more of a sun bathing area than swimming.
    - Michelle Wilson explained that most are complete, there is a final connector piece left to install on boat ramp,

**INFORMATIONAL ONLY**

**6. CONSTRUCTION PROJECTS**

**6.1 ROCK CREEK LAKE STATE PARK, JASPER COUNTY – WATER CONTROL STRUCTURES**

This project consists of the construction of 5 compacted earth Silt Retention Structures, related Intakes, Water Control Structures and incidental work as required by the Plans and the DNR Construction Inspector. The purpose of this project is to construct sediment basins in the Rock Creek watershed, thereby improving water quality in the lake.

This project was designed by Ken Jackson, DNR Engineer, and will be inspected by Jason Kruse, PE, DNR District Inspector. DNR estimate is \$108,400. Funding source is EPA and Lake Water Quality Fund (Capital Link #92). 30 sets of plans were issued and 14 bids were received.

TK Concrete Inc.	Pella, IA	\$85,119.00
Healy Excavating	Lake View, IA	\$96,878.58
Sterk Excavating Inc.	Otley, IA	\$97,496.08
Seaton Construction	Deep River, IA	\$101,646.90
Huyser Dozing & Tiling	New Sharon, IA	\$108,246.66
S.L. Baumeier Co.	Gladbrook, IA	\$119,123.50
Ag & Turf Construction LLC	Davenport, IA	\$132,093.50
Hatch Grading & Contracting Inc.	Dysart, IA	\$134,329.38
MD Construction Inc.	Garwin, IA	\$140,688.14
Elder Corporation	Des Moines, IA	\$142,999.99
Schoon Construction	Grinnell, IA	\$159,705.30
Peterson Contractors Inc.	Reinbeck, IA	\$177,934.00
Hecks Dozer	Ogden, IA	\$219,954.23
CJ Moyna & Sons Inc.	Elkader, IA	\$289,923.00

DNR recommends awarding the project to the low bidder, TK Concrete Inc.

**APPROVED BY CONSENT**

**6.2 RIVERTON WILDLIFE AREA, FREMONT COUNTY – FLOOD REPAIRS AND PCC PAVING**

This project consists of removal and crushing of existing Hot Mix Asphalt paving, excavating and lowering the existing roadway and parking area, Portland cement concrete paving of roadways and parking area and other related work as required by the Plans and/or the DNR Construction Inspector and as described in the Specifications for Riverton Wildlife Management Area, in Fremont County, Iowa. The design includes re-shaping of existing dike slopes to more adequately protect the site from future flood damage, as well as Portland cement concrete paving which will withstand future flood events better than hot mix asphalt paving.

This project was designed by Ken Jackson, DNR Engineer, and will be inspected by Mark Johnson, DNR District Inspector. DNR Estimate is \$850,000. Funding source is FEMA and Park & Institutional Road Fund. (No Capital Link) 31 sets of plans were issued and 11 bids were received.

Concrete Technologies Inc.	Urbandale, IA	\$647,261.80
Godbersen Smith Construction Co. Inc.	Ida Grove, IA	\$681,088.20
Allied Manatts Group LLC	Charles City, IA	\$693,072.40
Bluffs Paving & Utility Inc.	Crescent, IA	\$696,281.72
Cedar Valley Corporation	Waterloo, IA	\$718,136.18
Lamb Tiling	Greenfield, IA	\$721,542.80
Carley Construction LLC	Treynor, IA	\$733,755.95
Tab Construction	Omaha, NE	\$735,642.04
TCW Construction Inc.	Lincoln, NE	\$823,107.19
KP Construction Inc.	Sergeant Bluff, IA	\$874,736.50
Whitehead Farms Construction Inc.	Sidney, IA	\$956,454.36

DNR recommends awarding project to the low bidder, Concrete Technologies Inc.

**Motion** – Commissioner Francisco

**Seconded** – Commissioner Underwood

**Discussion** – Commissioner Francisco asked if with the concrete cap there would not be as much future damage due to flooding. Don Labate explained that by lowering and creating less of an area that could be damaged it would lower the amount of damage during any future flooding.

Commissioner Underwood asked if the asphalt would be recycled. Don Labate explained that it would be ground up on site and use it as surface underlayment, it creates a good base for the surface material as well it is more cost effective than having it removed from the site.

Commissioner Underwood asked about the percentage change in FEMA funding. Don Labate explained that the funding/match was typically 75/25, but with this project would be a 90/10 split. Commissioner Underwood asked if there were any other projects that may qualify for this type of funding. Don Labate explained that were other projects that sustained flood damage in 2008 that qualified for the 90/10 split.

**Decision** – Approved by Unanimous Vote

**APPROVED AS PRESENTED**

**6.3 BIG SPRING FISH HATCHERY, CLAYTON COUNTY – MAINTENANCE BUILDING CONSTRUCTION**

This project will consist of a new 2 level maintenance building with 4,500 S.F. on the main level and 2,250 S.F. on the lower level. The building is wood framed with a concrete foundation, metal wall panels with stone accents, double hung windows, and a metal roof. Bid alternates include a wood framed entrance canopy, wood framed deck, and a paved drive and parking lot in lieu of crushed stone.

This project was designed by Shive-Hattery Inc. and will be inspected by Mel Pacovsky, DNR District Inspector. DNR Estimate is \$1,000,000. Funding source is Fish & Wildlife Trust Fund and REAP Acquisition & Development and other funds from savings in previous bids. (Capital Link #23 & 126) 46 sets of plans were issued and 10 bids were received.

Bid results below include the base bid and all alternates. The total for the alternates is shown in parenthesis below each bid):

Cresco Building Service Inc.	Cresco, IA	\$844,654.00 (Alternates = \$86,487.00)
Loecke Building Service	Manchester, IA	\$891,637.50 (Alternates = \$99,815.00)
Tricon General Construction	Dubuque, IA	\$897,026.00 (Alternates = \$95,000.00)
Olympic Builders General Contractors Inc.	Holmen, WI	\$915,790.00 (Alternates = \$84,360.00)
Matt Construction Inc.	Sumner, IA	\$924,309.00 (Alternates = \$93,000.00)
David Finholt Construction Inc.	Decorah, IA	\$928,903.00 (Alternates = \$87,169.00)
Porter & Porter Construction LLC	Independence, IA	\$934,866.00 (Alternates = \$89,000.00)
Larson Contracting Central LLC	Lake Mill, IA	\$954,372.00 (Alternates = \$78,948.00)
Portzen Construction	Dubuque, IA	\$1,011,926.00 (Alternates = \$91,500.00)
Vieco Dev. & Construction Co. Inc.	Coralville, IA	\$1,186,735.00 (Alternates= \$114,675.00)

DNR recommends awarding project, including all alternates, to the low bidder, Cresco Building Service Inc.

**Motion** – Commissioner Garst  
**Seconded** – Commissioner Francisco  
**Decision** – Approved by Unanimous Vote

**APPROVED AS PRESENTED**

**6.4 VOLGA RIVER RECREATION AREA, FAYETTE COUNTY – PCC PAVING**

This project consists of re-construction and Portland cement concrete paving of access roadways, campground roadway, camp pad construction and other related work as required by the Plans and/or the DNR Construction Inspector and as described in the Specifications for Volga River Recreation Area.

This project was designed by Troy Duff, DNR Engineer, and will be inspected by Mel Pacovsky, DNR District Inspector. DNR Estimate is \$2,023,987. Funding source is Park & Institutional Road Fund. (Capital Link #71) 21 sets of plans were issued and 6 bids were received.

Concrete Foundations Inc.	New Hampton, IA	\$998,464.72
Wicks Construction Co.	Decorah, IA	\$999,558.76
K. Cunningham Construction Co. Inc.	Cedar Falls, IA	\$1,093,358.50
Allied Manatts Group LLC	Charles City, IA	\$1,139,295.65
Cedar Valley Corporation	Waterloo, IA	\$1,176,884.61
Horsfield Construction Inc.	Epworth, IA	\$1,093,358.50

DNR recommends awarding project to the low bidder, Concrete Foundations Inc.

**Motion** – Commissioner Rettig  
**Seconded** – Commissioner Francisco  
**Decision** – Approved by Unanimous Vote

**APPROVED AS PRESENTED**

**6.5 HONEY CREEK RESORT STATE PARK, APPANOOSE COUNTY – HONEY CREEK INTERPRETIVE CENTER**

This project consists of tenant improvements for the prefabricated ISU Interlock House set upon an existing concrete foundation. Honey Creek Interpretive Center base bid contract will consist of Upper Level interior improvements and exterior improvements only with alternative bids for solar array reinstallation and Lower Level build-out. Exterior work will include, but is not limited to, new outdoor wood deck, railing and stair (as shown), exterior mechanical equipment pad (under deck as shown), exterior pavers in lower lever patio area (as shown), concrete pavement (as shown) and parking lot restriping. Interior contract will include, but is not limited to, new and refurbished interior finishes and accessories in the upper level interior (as shown). Bid alternate (which will have later completion date) new interior finishes, equipment, HVAC, plumbing, electrical work in lower level as well as reinstallation of solar photovoltaic array on roof structure and to coordinate with the appropriate DNR representative for proper function.

Base Bid (Completion: April 18, 2011): Upper Level interior improvements and Exterior Improvements (as shown). Interior contract will include, but is not limited to, new and refurbished interior finishes and accessories in the upper level interior (as shown).Exterior work will include, but is not limited to, new outdoor wood deck, railing and stair (as shown), exterior

mechanical equipment pad (under deck as shown), exterior pavers in lower level patio area (as shown), concrete pavement (as shown) and parking lot restriping.

Bid alternate (Completion: June 1, 2011): Lower Level interior improvements and reinstallation of PV array on roof. Lower Level new interior finishes, equipment, HVAC, plumbing, electrical work (as shown), reinstallation of solar photovoltaic array on roof structure and coordination with the appropriate DNR representative for proper function.

This project was designed by Ryan Richey, DNR Architect, and will be inspected by Jason Kruse, PE, DNR District Inspector. DNR Estimate is \$200,000. Funding source is REAP Open Spaces. (Capital Link #121)

DNR staff will make a recommendation after the bid opening and bring it to the NRC meeting.

**Motion** – Commissioner Francisco  
**Seconded** – Commissioner Underwood  
**Discussion** – Commissioner Underwood asked about the signage that would be used at the interpretive center. Michelle Wilson explained how the building would be used and what type of interpretive panels would be utilized inside the building. The department received a \$27,000 grant from the Office of Energy Independence (OEI) for the interpretive pieces. Commissioner Drees asked when the building would be open to the public. Don Labate stated that the target is by earth day (April 22, 2011).  
**Decision** – Approved by Unanimous Vote

**APPROVED AS PRESENTED**

**7. PROFESSIONAL SERVICES CONTRACT – DELIVERY ORDER APPROVAL**

**7.1 DESJARDINS RENEWABLE PROJECT**

The Department has negotiated a Delivery Order under a master contract with KJWW Consultants to assist Iowa DNR in preparing designs and analysis for renewable energy systems (Photo Voltaic Solar arrays and Vertical & Horizontal Wind Turbines) at various state parks (see list below).

Project list with priority in descending order:

1. Honey Creek Resort State Park
  - i. 5 (1kw) PV solar panels on 5 existing cabins – locations TBD
  - ii. 1 (10-15kw) Horizontal Wind Turbine – adjacent to activity center
  - iii. 1 (10-15kw) Vertical Wind Turbine – adjacent to activity center
  - iv. Solar Thermal Application applied to lodge (1000sf collector)
2. Lewis & Clark State Park
  - i. 1 (6kw) PV solar panel on new visitor center – location TBD
  - ii. 1 (10-15kw) Horizontal Wind Turbine – location TBD

- 3. Nine Eagles State Park (alternate – Lake of Three Fires State Park)
  - i. 1 (1kw) PV solar panel on new cabin
- 4. EB Lyons Nature Center
  - i. 1 (2kw) PV solar panel on new nature center
- 5. Lake Darling State Park
  - i. 1 (5kw) PV solar panel on lodge

This project consists of retro-fitting existing buildings in the park system with renewable energy systems. As a pilot program it will also serve as a tool for the parks system to education the public about residential renewable energy. The renewable systems will also lessen the park’s electrical load as their consumption of on-grid electricity will be supplemented by the addition of these systems.

Compensation for the services provided under this Delivery Order will not exceed \$79,032.00 and has been described in detail in the Delivery Order contract. The funding source is Private Memorial, Energy Grant and Other, (No Capital Link).

IDNR recommends awarding the Delivery Order to KJWW Consultants.

**Motion** – Commissioner Underwood  
**Seconded** – Commissioner Schemmel  
**Decision** – Approved by Unanimous Vote

**APPROVED AS PRESENTED**

**\*7.2 LAKE DARLING STATE PARK – CONSULTANT CONTRACT FOR THE INSPECTION OF THE DAM AND SPILLWAYS**

A scope of work and inspection fee has been negotiated for professional services to assist in the inspection of the Lake Darling Dam and Spillway in Washington County. C.J. Moyna & Sons, Inc. was awarded the \$1.7 million construction contract in November. Construction has started. The project designer, French-Reneker-Associates, Inc. is currently under contract to provide engineering during construction and construction observation.

This contract amendment expands the amount of construction observation available from French-Reneker Associates, Inc. Under this contract amendment, French-Reneker-Associates, Inc. will be authorized to complete up to 25% of the day to day inspection duties as well as the technical investigation and reporting necessary for this project. French-Reneker-Associates, Inc. will provide staff on site during construction to determine if the work is preceding in general accordance with the contract documents, if the DNR field inspector is unavailable. The staff feels contracting this consulting firm, who is familiar with this project, will result in a well built dam, while allowing the field engineer to continue contracting other scheduled projects. Funding source is Lake Water Quality Improvement (Capital Link #83).

Staff recommends approving the Amendment No. 3. The firm has proposed a fee for services at their scheduled billable rates with a not-to-exceed amount of \$34,818.

**APPROVED BY CONSENT**

**\*7.3 BIG CREEK STATE PARK BEACH SITE PLAN**

The Department has negotiated a delivery order under a master contract with Stanley Consultants Inc. to provide engineering design services to create a plan for future modification and upgrade of the Big Creek State Park beach area in Polk County. The site currently has outdated buildings in a state of disrepair that parks staff have not been able to utilize to serve the public. DNR Engineering & Parks staff will coordinate for the demolition and removal of the buildings through services with a local contractor. Stanley Consultants will redesign the site to accommodate an interpretive Kiosk, 2 new picnic shelters, 2 new restroom buildings, drinking fountains, and foot showers. The design will include removal and replacement of sidewalk & paving to accommodate this new plaza layout. The consultant will prepare a grading plan and utility plan as part of the project. All new designs will incorporate and utilize the State Parks Design Guide template currently being prepared by RDG Architects for the Department.

Stanley Consultants will develop 2 alternative layouts and meet with DNR staff to select a preferred concept or a design utilizing elements of both options. The consultant will meet again with the DNR for delivery and review of pre-final plans and specs. The resulting bid ready plans and specs will include an opinion of probable construction cost for future planning and budgeting purposes.

Stanley Consultants has proposed a schedule to complete the design work approximately 10 weeks from the receipt of a signed delivery order from IDNR.

The estimated cost of the work is \$24,780.00, with the work billed on a time and materials basis with a not-to exceed amount equal to the estimate. The billing rates shall be as established in the master contract. Funding source is IJobs #2 (Capital Link#194).

IDNR recommends awarding the delivery order to Stanley Consultants Inc.

**APPROVED BY CONSENT**

**8. SMALL CONSTRUCTION PROJECT CONTRACTS**

The following projects have been let utilizing the Competitive Quotation process for projects \$100,000 or less:

BID DATE	PROJECT	COUNTY	AREA	DESCRIPTION	ESTIMATE	BIDS
1/27/11	11-02-08-04	Boone	Ledges State Park Lower Road	Let-down structure replacement/debris	\$25,000.00	\$21,520.00
2/3/11	11-03-33-01	Fayette	Volga SRA	Repair Angling Access	\$8,000.00	\$6,400.00 \$6,890.00 \$7,095.99 \$8,745.00 \$9,372.50 \$9,910.00 \$11,350.00 \$11,965.00 \$20,573.05
2/24/11	11-01-11-03	Buena Vista	Pickerel Lake	Inline Water Control Structure	\$12,500.00	\$11,688.03 \$12,690.40 \$12,770.00 \$14,105.00 \$19,220.00 \$24,840.00

**INFORMATIONAL ONLY**

**9. LAND ACQUISITION PROJECTS**

**\* 9.1 SOUTH BEAR CREEK – WINNESHIEK CO. – WERGES**

The Natural Resource Commission’s approval is requested to purchase a permanent easement for angler access, fish stocking and sampling by Iowa DNR, and fish habitat & water quality improvement. David and Elayne Werges have agreed to sell a permanent easement encumbering 5.4 acres for \$13,500.00.

Jerry Gibson negotiated the option for easement for \$2500.00 per acre.

The proposed easement will be a 75 ft. strip of land along each side of the centerline of South Bear Creek that runs through Highlandville. The 150-ft. easement corridor is approximately 1,565 feet long for a total of 5.4 acres. Both east and west segments are accessible from Highlandville Road which is approximately 13 miles northeast of Decorah. The easement will prohibit any type of building construction; tilling/harvesting of agricultural crops; livestock; herbicide/pesticide application except when applied under a conservation plan; operation of motor-powered vehicles; and dumping of waste material. South Bear Creek is rated as a high quality trout stream.

This easement will be monitored by the Fisheries Bureau.

I-JOBS funding will be used to acquire the easements. No survey or fencing costs are anticipated. Incidental closing costs will be the responsibility of the Department.

Staff recommends approval of the easement acquisition.

**APPROVED BY CONSENT**

## **9.2 LIZARD LAKE WMA – POCAHONTAS Co. – POST**

The Natural Resource Commission’s approval is requested to accept the donation of a 180.0 feet wide and 5,086 feet long permanent easement across land north of Lizard Lake. Lizard Lake is approximately 6 miles southwest of Gilmore City. The easement will allow for construction, maintenance, and permanent placement of a fish barrier for the drawdown of Lizard Lake. Rickey & Mary Post; Fred & Jennie Post; and Raymond & Gaetana Post have agreed to donate the permanent easement. The width of the easement will vary, but will be a minimum of 180 feet wide.

Jerry Gibson negotiated the option for easement.

Construction will include the widening and deepening of the outlet ditch; removal of a few trees; spreading spoils over side slopes; seeding of side slopes; installation of a water control structure; and the installation of a fish barrier. The permanent easement will also include an 18 feet ingress/egress access to the fish barrier.

The improved water quality will stimulate emergent vegetation such as, wild rice, soft stem bulrush, cattails and arrowhead which in turn will make the marsh more attractive to mallards, teal, shovelers, and widgeon. This easement will be monitored by the Wildlife Bureau in accord with the area management plan. Incidental closing costs will be the responsibility of the Department.

Staff recommends approval of the easement acquisition.

**Motion** – Commissioner Garst  
**Seconded** – Commissioner Francisco  
**Decision** – Approved by Unanimous Vote

**APPROVED AS PRESENTED**

## **10. CONSTRUCTION OF A SPILLWAY/FISH BARRIER AT LIZARD LAKE (POCAHONTAS CO.)**

The Department is working with Ducks Unlimited (DU) under a contract approved by the NRC to reconstruct the current fixed spillway at Lizard Lake and replace it with a spillway that will serve as a fish barrier and also allow for infrequent water level fluctuations. The Department is bringing this to the NRC as an informational item to provide ultimate transparency in the Department's use of Lakes Restoration funding. It has been the Department's experience that the public is very interested in how these funds are used.

A 2008 Diagnostic/Feasibility study with Iowa State University identified "shallow lakes management" as the best strategy to improve water quality at Lizard Lake in Pocahontas County, a 272 acre natural lake, while at the same time expanding and enhancing recreational opportunities. A number of public meetings were held that reviewed three lake restoration options. The shallow lakes strategy identifies and follows current lake restoration funding capabilities and was approved by a significant majority of the lake's stakeholders.

An existing October 2009 NRC agreement with Ducks Unlimited to improve water quality in shallow lakes, permitted the DNR to direct DU to provide design, contract and inspection services for the replacement of the existing Lizard Lake outlet structure, with a design that was approved by DNR. DNR Lands and Waters staff also acquired an easement option that will be required for this construction project to proceed. (See Item 9.2 of this agenda.)

Ducks Unlimited advertised the DNR reviewed plans, with 43 contractors requesting plans and three contractors submitting sealed bids. An Iowa construction firm, Valley Contracting of Estherville, IA submitted the low bid of \$201,084, which was \$39,750 under the engineer's estimate. DU plans to begin work by April 1, 2011.

Funding for this project will be \$94,000 from DNR Wildlife Bureau NAWCA funds and \$107,084 from DNR Lake Restoration funding (Capital Links #19). DU already contributed an additional \$30,000 to the design/engineering portion of the project. This project will begin with an immediate draining of the lake, followed by spillway reconstruction, revegetation of shallow lake bottom areas and the eventual renovation/elimination of the carp and buffalo fishery, followed by the establishment of a yellow perch/northern pike fish population. The Pocahontas County Conservation Board will also renovate their existing campground and construct a swimming beach and fishing jetty adjacent to their campground.

This shallow lake / watershed restoration project meets the goals and objectives of the NAWCA federal grant and the DNR Lake Restoration Program.

**INFORMATIONAL ONLY**

**\*11. LAND MANAGEMENT PROJECTS****11.1 LAKE PETOCKA PARK – POLK COUNTY – CITY OF BONDURANT**

The Bondurant City Council has approved a resolution requesting that title to the 34.929 acre state owned Lake Petocka Park be transferred to the City for no monetary consideration. The Commission is requested to recommend a title transfer to the Executive Council. Upon approval by the Executive Council, title will be transferred to the City of Bondurant by state patent.

Lake Petocka Park is located in the City of Bondurant. The property was acquired by the Department of Transportation for the purposes of removing fill material for the establishment and construction of Highway 65. The removal of fill created a lake on the property making it suitable for a public park and for use by wildlife and waterfowl. The DOT transferred jurisdiction and control of the property to the DNR in the early 1980's, at which time the DNR entered into a management agreement with the City of Bondurant for care and maintenance of the property. Since that time, the city has made several capital improvements to the park including shelter houses and a walking trail. Transferring title to the City will enhance their ability to acquire funding for future improvements.

Iowa Code Section 461 A.32 allows for the proposed conveyance without consideration, and requires that the conveyance contain a reversion provision that provides when such lands cease to be used as a public park, title will revert to the state.

In exchange for the patent of the State owned land, the City of Bondurant has agreed to enter into a management and title transfer agreement with the DNR. Under the agreement, the City of Bondurant agrees to the following:

- The City will submit, to the DNR Sovereign Land Construction Permit and Environmental Review Program, any future development and construction proposals for review and approval.
- The City shall utilize dark sky compliant fully shielded fixtures that do not project light above the horizontal plane for all park and pedestrian lighting within the park.
- The City shall minimize the impact of paved road surfaces on the park's existing and proposed natural environment (if applicable).
- The City shall minimize the impact of paved parking surfaces on the park's current and future environment as follows (if applicable).
- The City shall utilize construction techniques that mitigate the environmental impact of storm water associated with paved surfaces within the park (if applicable).
- The DNR shall have the right to prevent and correct violations of the terms of this agreement. If the DNR, upon inspection of the property, finds what appears to be a violation, it may exercise its discretion to seek injunctive relief in a court having jurisdiction. The failure of the DNR to discover a violation or to take immediate action to correct a violation shall not bar it from doing so later.

Representatives from the City of Bondurant will be available to discuss the proposed transfer.

**Motion** – Commissioner Francisco

**Seconded** – Commissioner Underwood

**Discussion** – Commissioner Garst asked what plans were for ongoing monitoring. Travis Baker explained that there is not a formal plan in place but that the department would be part of future development and further the fisheries bureau would continue to be involved with the city through the fish stocking program. Commissioner Garst stated that there is an implication that the department is aware if there is a violation, could these types of projects be added to the conservation easement monitoring program? Travis Baker explained that it is feasible to add to the monitoring program the framework is already in place. Tamara Mullen, DNR Attorney agreed. Commissioner Garst asked about future consideration the option to charge money to assist DNR in the monitoring of these types of projects. Commissioner Rettig stated that in most cases she would agree, however in this particular case the city has been managing the area for 30+ years and the department has not spent any monies into it.

**Decision** – Approved by Unanimous Vote

**APPROVED AS PRESENTED**

**11.2 WATER NAVIGATION PERMIT – SUNNY BRAE GOLF COURSE FOOTBRIDGE**

The Natural Resource Commission is requested to approve, for submission to the Iowa Executive Council for final approval, renewal of a lease with Cargill Incorporated of Dubuque, Iowa, for a portion of the bed of the Mississippi River.

The lease area consists of 100 feet of river frontage by 100 feet of depth, located at River Mile 469.8 in the SW ¼ of Section 19 Township 77 North Range 2 West, Scott County, approximately five miles downstream from the City of Davenport. The lease accommodates an area of fill on the riverbed occupied by barge loading facilities handling corn and soybean oil, liquid fertilizer and road salt. The site has been under lease since 1977.

The proposed lease will be for a five year period. The annual fee is \$600.00 with a condition that the fee may be adjusted to comply with adopted administrative rule changes that affect lease fees. The fee was calculated using the ‘frontage by depth’ table provided in 571 Chapter 18.2 (461A). Calculating the fee using assessed values of similar privately owned property in the immediate vicinity was impractical due to the fact that riverbed property is not assessed.

**Motion** – Commissioner Garst

**Seconded** – Commissioner Underwood

**Discussion** – Commissioner Rettig asked for an update on how the fair market value was being calculated. Travis Baker explained that a portion of chapter 18 (option c) is being utilized to assist in the calculation of fair market value using adjacent property value.

**Decision** – Approved by Unanimous Vote

**APPROVED AS PRESENTED**

**11.3 MANAGEMENT AGREEMENT – WAPELLO CCB & DEPT. OF CORRECTIONS**

The Natural Resource Commission is requested to approve a 20 year management agreement between the Department of Natural Resources (DNR), the Department of Corrections (DOC) and the Wapello County Conservation Board (WCCB) to provide for native seed production for use on public lands.

The purposes of the agreement are to provide work through public service opportunities for offenders in the Ottumwa Residential Facility; to provide labor and growing facilities for the Iowa DNR Prairie Resource Center; and enhance the cooperative program between the DNR and the WCCB to create wildlife habitat diversity on public lands. Under the agreement, the DOC will provide land needed for native seed production; labor and daily maintenance of seed production plots and all offender supervision and security at no cost to DNR or WCCB. All operations will be on property owned by the DOC. The DNR will provide all propagated plants for production plots; all consumable project materials such as planting medium, seed and weed barrier fabric; a seed dryer; cleaning and processing of seed; a record of production, harvest and distribution of seed; and transportation of seed and plants to and from the DOC facility. The WCCB will provide equipment for soil preparation and installation of weed barrier fabric and personnel to provide guidance in the transplanting, maintenance and harvest of seed production plots. The DNR and the WCCB will share equally in harvested seed. All seed will only be planted on public land.

The agreement will allow a 30 day termination in the event of lack of funding or law changes.

**Motion** – Commissioner Francisco  
**Seconded** – Commissioner Rettig  
**Decision** – Approved by Unanimous Vote

**APPROVED AS PRESENTED**

**12. WATER NAVIGATION PERMIT – SUNNY BRAE GOLF COURSE FOOTBRIDGE**

Pursuant to its authority under Iowa Code section 462A.32, the Commission is requested give the director the authority to approve an obstruction, a floating footbridge, that expands across a portion of the Cedar River in Mitchell County, Iowa. Iowa Code section 462A.32(2) reads: “No other obstruction of any kind shall be maintained in the waters of this state under the jurisdiction of the commission without first receiving permission from the commission to maintain such obstruction.”

Sunny Brae Golf Course, a nine-hole golf course, was first established in 1915. The Department had previously approved the use of this footbridge, as evidenced in prior permits issued to it. Complaints in 2009-2010 by canoeists, kayakers and other river users caused Sunny Brae to redesign the structure to accommodate those other uses on the river. Commissioner questions at the April 8, 2010 Commission meeting led to a temporary 1-year permit directing the Sunny Brae Golf Course coordinate review of the structure with the Iowa DNR water trails coordinator.

That review determined the 2010 bridge has greatly improved the public’s ability to navigate the Cedar River, with three openings on the west side of the channel sufficient for semi-skilled paddlers. Across the remainder of the bridge, much lower 1-foot vertical gap between the water surface and bridge deck are necessary to keep the bridge upright at higher flows with the present design. Developing an alternative to the current floating bridge structure can more reasonably happen over a five year timeframe, allowing Sunny Brae time to develop a new design, raise funds, and implement a project. General goals should include fewer pontoon contact points with the river, wider spans, and a minimum of 3.5’ between the water surface and deck across the stream for each gap.

The Commission is asked give the director authority to grant the permit pursuant to Iowa Code section 462A.32(2) with the following restrictions, in addition to those in the previous permits, to ensure that the historical uses of the club are recognized while the access and ability to use the river by other recreational enthusiasts is protected:

- The permit shall be for a period not to exceed five years.
- Sunny Brae Golf Course shall install and maintain a hazard warning sign: “Warning / Low Bridge Ahead / Move Right for Passage” according to 20:20 vision letter height and placement guidelines outlined in the water trails development manual, found at <http://www.iowadnr.gov/riverprograms/files/signmanual.pdf>
- Sunny Brae Golf Course shall initiate design and implement a long-term project to further enhance safety and navigation with fewer points of contact with the stream and avoiding low-deck sections. The design shall be reviewed by the Iowa DNR’s Water Trails Program, or its successor.
- Sunny Brae Golf course will notify Iowa DNR’s Water Trails Program annually report on bridge and sign conditions by sending electronic photographs of the area to the water trails coordinator.
- Violations of any permit condition shall result in revocation of the permit.

**Motion** – Commissioner Garst  
**Seconded** – Commissioner Francisco  
**Decision** – Approved by Unanimous Vote

**APPROVED AS PRESENTED**

**13. FIVE ISLAND LAKE ACCESS – PALO ALTO CO. – BOUNDARY ENCROACHMENT**

The state acquired Five Island Lake Access in 1946. The 4.4-acre area is comprised of an approximately 1,800 foot length east-west corridor occupied by a public road and at its east end about 700 feet of shoreline access with a parking area.

Mr. Rick Reed currently leases a 30 foot wide by 55 foot wide access drive to the Reed property over Five Island Lake Access. The lease was first issued in 1993 as a condition to a construction permit issued by the DNR. In October 2008, the boundary of the access was surveyed for the DNR by a private licensed land surveyor as one of a number of DNR managed areas surveyed

around Five Island Lake. The survey disclosed that a portion of the Reed garage, the concrete garage approach, a retaining wall and a number of landscape trees and shrubs are located on state property. A revised lease was issued to accommodate the additional area occupied by Mr. Reed. The existing lease has an annual fee of \$300 and a term of five years.

Mr. Reed will present to propose a land exchange or land sale to eliminate the current lease.

Discussion:

- Commissioner Francisco asked if the prior surveys from 1948 and 1976 agree with the 2008 survey. Brian Hellyer, DNR Wildlife Bureau Unit Manager explained that all of the surveys agree and use the same verbiage description. Travis Baker added that there is no record of any corrected survey done.
- Commissioner Rettig asked if there had been a written agreement with Mr. Reed to do no further landscaping from the time the property line issue was discovered. Brian Hellyer explained that it was not put in writing but had been a verbal agreement.
- Commissioner Rettig asked if there is anything in Iowa Law that requires state to sign their boundaries. Tamara Mullen, DNR Attorney quoted Iowa Code section 461A.19 which states:

The commission shall at once proceed to establish the boundary lines between the state-owned property under its jurisdiction and privately owned property when said commission deems it feasible and necessary, and shall where deemed advisable mark the same so that the boundaries of such state-owned property may be easily ascertainable to the public.
- Commissioner Rettig stated that as she understands the Iowa Code; that when the state owns land for conservation purposes it is not allowed to sale, give, or trade unless it is deemed to have no conservation value.
- Commissioner Schemmel asked if the original marking pins were found, and if so were those pins exactly in the spots they are located in now or were the pins moved. Travis Baker explained that there is now such indication of the pins being moved in any of the prior surveys, if any occurrence of that nature were to have taken place it would have been noted detailed in the survey information.
- Commissioner Francisco asked if the current lease would be transferrable to a new home owner. Travis Baker explained that it is not transferrable but that the department would be willing to enter into similar agreement with new homeowners.

**INFORMATIONAL ONLY**

**14. FISH HABITAT PROMOTION WITH LOCAL ENTITIES PROGRAM GRANT REVIEW**

Natural Resource Commission approval is requested for the fish habitat grant recommendations. All revenue derived from fish habitat fees, paid for as part of fishing licenses, is deposited in the state fish and game protection fund to be used for fish habitat development. In compliance with 571 Iowa Administrative Code Chapter 35, at least fifty percent of all revenue from the sale of fish habitat fees is distributed equally among six county districts to county conservation boards. Each district is allowed to hold a two-year apportionment before money is reverted and redistributed equally among all districts. This program is a 90% cost share grant open to all county conservation boards for the development of fish habitat or acquisition of land to be used for fish habitat development purposes.

The Fish Habitat Grant Review Committees met in December 2010 and January 2011 to review county conservation board projects. Each district forms a grant committee made up of at least five county conservation board directors that rank and score all of the projects in their district. A district fisheries biologist sits on each committee for advisory purposes. The committee recommends funding the projects as follows:

**District 1 committee recommends funding the following four (4) ranked projects.**

Jasper County	\$28,126.38	Wetland Construction at Mariposa Lake
Story County	\$15,920.00	Jetty Improvements at Hickory Grove Park
Boone County	\$27,000.00	Repair of Lake Dam/Outlet at Don Williams Park
Polk County	\$25,125.00	Pond Dredging, Wetland/Sediment Basin Installation, and Three Grade Structures at Two Dam Pond

**District I Total \$96,171.38**

**District II committee recommends funding the following seven (7) projects.**

Winnebago County	\$5,796.00	Ambrosion Recreation Area Aerator Project
Howard County	\$9,153.00	Bigalk Trout Stream Habitat Restoration
Fayette County	\$29,358.00	Scuffman Land Acquisition
Cerro Gordo County	\$35,250.00	Bluebill Wildlife Area Lake Jetty
Kossuth County	\$2,700.00	Smith lake Aquatic Weed Control
Mitchell County	\$23,337.00	Boerjan Wildlife Area Bank Stabilization
Kossuth County	\$40,330.00	Hurlburt Wildlife Area Bank Stabilization

**District II Total \$145,924.00**

**District III committee recommends funding the following six (6) ranked projects.**

Sioux County	\$44,631.00	Big Sioux Rec Area Shore Armoring/Rock Jetty
Palo Alto County	\$1,350.00	Mulroney Rec Area Fisheries Renovation
Sioux County	\$13,320.00	Floyd River Wildlife Complex B Shore Armoring
Pocahontas County	\$45,927.00	Lizard Lake Rock Jetty
Monona County	\$45,000.00	Johnston Area Shore Armoring
O'Brien County	\$11,739.00	Dog Creek Habitat Structure and Fishing Jetty

**District III Total \$161,967.00**

**District IV committee recommends funding the following seven (7) projects.**

Guthrie County	\$16,836.30	Lenon Mill Park Stream Bank Armoring
Decatur County	\$18,720.00	Little River Lake Renovation
Madison County	\$22,512.00	Criss Cove Jetty Construction
Audubon County	\$47,250.00	Littlefield Lake Wetland Sediment Basin Restoration
Audubon County	\$23,400.00	Littlefield Lake Shoreline Armoring
Cass County	\$11,464.00	Cold Springs Nuisance Aquatic Vegetation Control
Taylor County	\$18,104.70	Windmill Lake West Jetty Extension

**District IV Total \$158,287.00**

**District V committee recommends funding the following five (5) projects.**

Mahaska County	\$17,300.00	White Oak Lake Wetland Sediment Basin Structure
Muscatine County	\$16,740.00	Discovery Pond Improvement
Keokuk County	\$5,900.40	Belva Deer Lake Sediment Basin
Washington County	\$13,500.00	Willow Pond Restoration & Enhancement Project
Washington County	\$2,970.00	Foster Pond Renovation & Protection Project

**District V Total \$56,410.40**

**District VI committee recommends funding the following six (6) ranked projects.**

Allamakee County	\$12,165.00	Yellow River Old Stone House Property Acquisition
Dubuque County	\$30,000.00	Jelinske Addition to Swiss Valley Park
Clinton County	\$8,923.45	McAndrews Wildlife Area Pond Construction
Allamakee County	\$27,000.00	Columbus Bridge Property Stream Bank Armoring/Fishing Access
Jackson County	\$1,737.00	Stamp Memorial Park Pond Aeration System
Clinton County	\$16,902.00	Wapsipinicon River Bank Armament

**District VI Total \$96,727.45**

The projects described in the table below represent the unsuccessful grant applicants. It is provided for the Commission’s information but is not recommended for funding at this time.

Marshall County	\$16,740.00	Rip-rap at Sand Lake
Carroll County	\$8,001.18	Tigges Wildlife Area Pond
Clay County	\$45,000.00	Increase Bank Armoring at Scharnberg Park
O’Brien County	\$12,731.00	Douma Habitat Structure and Fishing Jetty
Taylor County	\$16,482.38	White Oak Conservation Area Low Head Sediment Reduction Structure
Ringgold County	\$2,500.00	Kokesh Park Pond Renovation and Water Garden
Ringgold County	\$23,100.00	Fife’s Grove Park Pond Renovation
Shelby County	\$4,590.00	Manteno Park Lake Aquatic Vegetation Manipulation

The Department recommends the Commission to approve the aforementioned projects, as described above.

**Motion** – Commissioner Francisco  
**Seconded** – Commissioner Schemmel  
**Decision** – Approved by Unanimous Vote

**APPROVED AS PRESENTED**

**LUNCH BREAK PRESENTATIONS:**

- Iowa’s Coalition for Woodlands and Trees – presented by Dave Bartemes, President of Iowa Woodlands Association (IWOA)

Discussion:

- Commissioner Underwood asked for an update on legislation (SSB 1192) mentioned in the presentation. Mr. Bartemes explained that the legislation is still in budgetary stages so it is unknown at this time what the outcome will be; however the Senate committee did include \$100,000 which is a good start.
- Commissioner Underwood asked how many people belong to the coalition. Mr. Bartemes estimated between 8,000-10,000 people.
- Commissioner Underwood asked about strategic planning of the coalition. Mr. Bartemes explained that the coalition is so new but it is forming future planning and that will include strategic planning into additional initiatives.

- Bobcat and Otters – presented by Dr. William Clark, Ph.D, Iowa State University Professor
- Discussion:

- Commissioner Drees asked why without the complete population study results it would not be best to error on the conservative side and keep quotas where they currently are. Dr. Clark explained that he could not make population recommendations or speak on behalf of the DNR staff; he could only provide staff the scientific information to allow staff to make proposed quota recommendations.

**\*15. USDA RURAL DEVELOPMENT GRANT – BRUSHY CREEK STATE RECREATION AREA**

Natural Resource Commission approval is requested to authorize the DNR Director or his designee to sign the certifications, applications, and other paperwork required by the U.S. Department of Agriculture for Brushy Creek Park staff to move forward in the application process for a Rural Development Grant. The presentation of this brief and the Commission’s decision serves as the public forum requirement of the grant.

Last year, park staff experienced tile breaks and other wash outs on or near the multi-purpose trails. These hazards often created safety issues for trail users. The grant application identifies these areas as potential hazards that need to be remedied for the safety of trail users.

Staff will be applying for a backhoe attachment for a skid steer that is currently owned by the park. The attachment will be used for tile and trail repair. This will be a 55% grant for approximately \$4,300 with a 45% match, which includes \$1,000 trade-in allowance from used equipment and \$2,525 from volunteer raised funds.

**APPROVED BY CONSENT**

**\*16. FINAL RULE - CHAPTER 45, “BOAT MOTOR REGULATIONS”**

The Department requests Commission approval for an amendment to Chapter 45, Boat Motor Regulations.

The proposed amendment will change the term “at a no-wake speed” TO: “a speed not greater than 5 miles per hour” throughout IAC 571-45. This change would allow for additional language consistency found in IAC 571-40 “Boating Speed and Distance Zoning” recently approved by the Natural Resource Commission.

A Notice of Intended Action was published October 6, 2010 as ARC 9117B. A public hearing was held on October 28, 2010 at the Wallace State Office Building in Des Moines. Five people attended the public hearing including DNR staff. A total of 37 comments were received. Six oral comments were received at the public hearing and 31 comments were received via e-mail.

There were five comments received in the support of the rules. There were 11 comments received to keep the rules as written because of the perception that there is little or ineffective enforcement of the current rule. There were seven comments received to change the rule to 10 miles per hour. There were 10 additional comments to keep the rules as written because some boats don’t have a GPS or a tachometer that registers speed under 10 miles per hour. There were four comments received to remove the 10 horsepower limit on Lake MacBride.

In response to the comments, the Department feels these amendments further the ongoing process of improving boating enforcement efforts on Iowa’s waterways. Enforcement efforts are currently challenged by the use of no-wake instead of a mile per hour. Changing the rule to 10 miles per hour is undesirable because the bow of the boat is raised and the driver is unable to clearly see if a swimmer or other small vessel is in the path of the boat because of the raised bow. Boats which are equipped with fish finders have a built in GPS unit that measures the accurate speed of the boat. A tachometer on a boat registers the motor speed immediately and can be used to determine speed. Also, boats traveling 5 miles or less do not make a wake and therefore there is no white water behind the boat. The Department feels confident that this visual cue for boat operators will be sufficient for them to be able to comply with the amendments.

**APPROVED BY CONSENT**

**17. CHAPTER 51, GAME MANAGEMENT AREAS - NOIA**

The Commission is requested to approve this Notice to amend Chapter 51, Game Management Areas.

These rules establish regulations for the use of nontoxic shot on DNR wildlife areas. Changes are proposed to add wildlife areas to the list of areas where nontoxic is required for shotgun shooting, except turkey and deer hunting, for the purpose of reducing the exposure of waterfowl, shorebirds, and other water birds to lead shot in wetlands under the jurisdiction of the DNR.

**NATURAL RESOURCE COMMISSION[571]  
Notice of Intended Action**

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby gives Notice of Intended Action to amend Chapter 51, "Game Management Areas," Iowa Administrative Code.

These rules establish regulations for the use of nontoxic shot on DNR wildlife areas. The proposed amendment will add wildlife areas to the list of areas where nontoxic shot is required for shotgun shooting, except turkey and deer hunting, for the purpose of reducing the exposure of waterfowl, shorebirds, and other water birds to lead shot in wetlands under the jurisdiction of the Department of Natural Resources.

Any interested person may make written suggestions or comments on the proposed amendment on or before April 27, 2011. Written comments may be directed to the Wildlife Bureau's Web site at [www.iowadnr.com](http://www.iowadnr.com) or may be sent to the Wildlife Bureau Chief, Department of Natural Resources, Wallace State Office Building, Des Moines, Iowa 50319-0034; fax (515)281-6794. Persons who wish to convey their views orally should contact the Wildlife Bureau at (515)281-5034 or at the Wildlife Bureau offices on the fourth floor of the Wallace State Office Building.

There will be a public hearing held via the Iowa Communications Network on April 27, 2011, from 6 to 9 p.m. Interested persons should contact the Department at (515)281-5034 for a list of hearing locations or go to the Department's Web site at [www.iowadnr.com](http://www.iowadnr.com). At the public hearing, persons may present their views either orally or in writing. Participants will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendment.

Any persons who intend to attend the public hearings and have special requirements such as those related to hearing or mobility impairments should contact the Department of Natural Resources and request specific accommodations.

This amendment is intended to implement Iowa Code sections 456A.24(2)"a" and 481A.6.

The following amendment is proposed.

Amend rule 571--51.10(481A2) as follows:

**571—51.10(481A)** Use of nontoxic shot on wildlife areas. It shall be unlawful to hunt any migratory game bird or resident game or furbearers, except deer and turkeys, or target shoot with

a shotgun while having in one's possession any shot other than nontoxic shot approved by the U.S. Fish and Wildlife Service on the following wildlife areas:

<u>County</u>	<u>Wildlife Area</u>
<u>Adams</u>	<u>Lake Icaria Recreation Area</u>
<u>Allamakee</u>	<u>Pool Slough, Waukon Junction</u>
<u>Appanoose</u>	<u>Rathbun Wildlife Area, Sedan Bottoms</u>
Benton	Iowa River Corridor, <u>Dudgeon Lake, Red Fox Wildlife Area</u>
Boone	Harrier Marsh, Saylorville Wildlife Area
<u>Bremer</u>	<u>Sweet Marsh, Aldo Leopold Wetland</u>
<u>Buchanan</u>	<u>Troy Mills</u>
Buena Vista	All state and federal areas
<u>Butler</u>	<u>Big Marsh</u>
Calhoun	<del>South Twin Lake</del> <u>All state and federal areas</u>
<u>Carroll</u>	<u>All state and federal areas</u>
Cerro Gordo	All state and federal areas
Clay	All state and federal areas except the Ocheyedan wildlife area target shooting range
<u>Clinton</u>	<u>Goose Lake</u>
<u>Crawford</u>	<u>All state and federal areas</u>
<u>Dallas</u>	<u>Saylorville Wildlife Area</u>
<u>Decatur</u>	<u>Little River Recreation Area</u>
<u>Delaware</u>	<u>Buffalo Creek</u>
<u>Des Moines</u>	<u>Black Hawk Bottoms</u>
Dickinson	All state and federal areas except the Spring Run target shooting range
Emmet	All state and federal areas
Franklin	All state and federal areas
<u>Fremont</u>	<u>All state and federal areas except Lake Shawtee, Green Hollow, and O.</u>

<u>County</u>	<u>Wildlife Area</u>
	<u>S. Wing</u>
Greene	All state and federal areas except Rippey Access and McMahon Access
Guthrie	McCord Pond, Lakin Slough and Bays Branch, except the target shooting range at Bays Branch
Hamilton	Little Wall Lake, Gordon Marsh and Bauer Slough
Hancock	All state and federal areas
<u>Harrison</u>	<u>All state and federal areas except Fish Lake and Rand Access</u>
Humboldt	All state and federal areas
Iowa	All state and federal areas
<u>Jackson</u>	<u>Green Island</u>
Jasper	Chichaqua, Colfax, Rock Creek
<u>Johnson</u>	<u>Hawkeye Wildlife Area except the target shooting range, Redbird Farms</u>
<u>Jones</u>	<u>Muskrat Slough</u>
<u>Keokuk</u>	<u>Haysville Bend</u>
Kossuth	All state and federal areas
<u>Linn</u>	<u>Bertram Wildlife Area, Chain-O-Lakes, Wood Duck Bottoms,</u>
<u>Louisa</u>	<u>Cone Marsh, Klum Lake, Millrace Flats, Odessa Wildlife Area, Turtle Bend</u>
<u>Lucas</u>	<u>Colyn Wildlife Area, Rathbun Wildlife Area</u>
<u>Madison</u>	<u>Badger Creek Recreation Area</u>
<u>Marion</u>	<u>Red Rock Wildlife Area</u>
<u>Mills</u>	<u>All state and federal areas</u>
<u>Monona</u>	<u>All state and federal areas except the Loess Hills Wildlife Area</u>
<u>Monroe</u>	<u>Rathbun Wildlife Area</u>
<u>Muscatine</u>	<u>Cedar Bottoms, Shield Prairie, Weise Slough</u>
Osceola	All state and federal areas

<u>County</u>	<u>Wildlife Area</u>
Palo Alto	All state and federal areas
<u>Plymouth</u>	<u>Millsite Access</u>
Pocahontas	All state and federal areas <del>except Kalsow Prairie</del>
Polk	Paul Errington Marsh and Chichaqua, <u>Saylorville Wildlife Area, Red Rock Wildlife Area</u>
Sac	All state and federal areas <del>except White Horse Access and Sac City Access</del>
<u>Scott</u>	<u>McCausland, Princeton Wildlife Area except the target shooting range</u>
Story	Hendrickson Marsh and Colo Bog
Tama	Iowa River Corridor, <u>Otter Creek Marsh</u>
<u>Union</u>	<u>Summit Lake, Three Mile Lake except the target shooting range, Twelve Mile Lake,</u>
<u>Van Buren</u>	<u>DeVoss Foster, Fox River, Sugema,</u>
<u>Warren</u>	<u>Red Rock Wildlife Area</u>
<u>Wayne</u>	<u>Rathbun Wildlife Area</u>
<u>Webster</u>	<u>Brushy Creek Recreation Area</u>
Winnebago	All state and federal areas
<u>Winneshiek</u>	<u>Cardinal Marsh</u>
<u>Woodbury</u>	<u>All state and federal areas</u>
Worth	All state and federal areas
Wright	All state and federal areas

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Date

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Roger L. Lande, Director

(P:51n/mg)

**Motion (1)** – Commissioner Rettig

**Seconded** – Commissioner Francisco

**Motion (2)** – Commissioner Garst motioned to amend the proposal by the following; I motion the department establish three pilot entirely lead free game management areas to Chapter 51.

**Seconded** – Commissioner Underwood

**Discussion** – Commissioner Garst applauded the department in their proposal in making hunting waterfowl hunting nontoxic, but to further the discussion about nontoxic ammunition for deer and turkey things need to move forward by trying in the pilot areas which will assist in educating the public that it is a topic that is under discussion and a pending issue in Iowa. She further stated that the pilot project areas should be determined by department.

**Motion(3)** – Commissioner Schemmel motioned to exclude deer hunting.

**Second** – none, motion died

**Decision** – Approved as Amended 5 – Yes and 1 – No (Schemmel)

**APPROVED AS AMENDED**

## **18. CHAPTER 52, WILDLIFE REFUGES - NOIA**

The Commission is requested to approve this Notice to amend Chapter 52, Wildlife Refuges.

These rules stipulate regulations for establishing wildlife refuges or sanctuaries for the purpose of preserving the biological balance pursuant to the provisions of Iowa Code section 481A.39 and to effect sound wildlife management. Changes are proposed to reclassify some existing refuges for the purposes of improving public use and safety, and reduce the time required to post refuges each fall. No new refuges are being established.

### **NATURAL RESOURCE COMMISSION[571]**

#### **Notice of Intended Action**

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby gives Notice of Intended Action to amend Chapter 52, “Wildlife Refuges,” Iowa Administrative Code.

These rules give the regulations for establishing wildlife refuges or sanctuaries for the purpose of preserving the biological balance pursuant to the provisions of Iowa Code section 481A.39 and to effect sound wildlife management. Changes are proposed to reclassify some existing refuges for the purposes of improving public use and safety and reducing the time required to post refuges each fall. No new refuges are being established.

Any interested person may make written suggestions or comments on the proposed amendments on or before April 27, 2011. Written comments may be directed to the Wildlife Bureau's Web site at [www.iowadnr.com](http://www.iowadnr.com) or may be sent to the Wildlife Bureau Chief, Department of Natural Resources, Wallace State Office Building, Des Moines, Iowa 50319-0034; fax (515)281-6794. Persons who wish to convey their views orally should contact the

Wildlife Bureau at (515)281-5034 or at the Wildlife Bureau offices on the fourth floor of the Wallace State Office Building.

There will be a public hearing held via the Iowa Communications Network on April 27, 2011, from 6 to 9 p.m. Interested persons should contact the Department at (515)281-5034 for a list of hearing locations or go to the Department's Web site at [www.iowadnr.com](http://www.iowadnr.com). At the public hearing, persons may present their views either orally or in writing. Participants will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendments.

Any persons who intend to attend the public hearings and have special requirements such as those related to hearing or mobility impairments should contact the Department of Natural Resources and request specific accommodations.

These amendments are intended to implement Iowa Code sections 481A.5, 481A.6, 481A.9 and 481A.39.

The following amendments are proposed.

**ITEM 1.** Amend subrule 52.1(2) as follows:

**52.1(2) Wildlife refuges.**

a. Restrictions. The following areas under the jurisdiction of the department of natural resources are established as ~~game~~ wildlife refuges where posted. It shall be unlawful to hunt, pursue, kill, trap, or take any wild animal, bird, or game on these areas at any time, and no one shall carry firearms thereon, except where and when specifically authorized by the department of natural resources. It shall also be unlawful to trespass in any manner on the following areas, where posted, ~~between the dates of September 1 and January 31 of each year,~~ during the dates posted, both dates inclusive, except that department personnel, ~~and~~ law enforcement officials, and anyone specifically authorized by the department of natural resources may enter the area at any time in performance of their duties, and hunters, under the supervision of department staff, may enter when specifically authorized by the department of natural resources.

<u>Area</u>	<u>County</u>
Lake Icaria .....	Adams
Pool Slough Wildlife Area.....	Allamakee
Rathbun Area .....	Appanoose, Lucas, Wayne
Sedan Bottoms .....	Appanoose
Wildlife Exhibit Area.....	Boone
Sweet Marsh.....	Bremer
Big Marsh.....	Butler
South Twin Lake.....	Calhoun
Ventura Marsh .....	Cerro Gordo
Round Lake.....	Clay
Allen Green Refuge .....	Des Moines
Henderson .....	Dickinson

Jemmerson Slough Complex .....	Dickinson
Spring Run .....	Dickinson
Ingham Lake .....	Emmet
Forney Lake .....	Fremont
Riverton Area .....	Fremont
Dunbar Slough .....	Greene
Bays Branch .....	Guthrie
Crystal Hills .....	Hancock
Eagle Flats .....	Hancock
Eagle Lake .....	Hancock
Green Island Area .....	Jackson
Hawkeye Wildlife Area .....	Johnson
Muskrat Slough .....	Jones
Colyn Area .....	Lucas
Red Rock Area .....	Marion, Polk, Warren
<u>Gladys Black Eagle Refuge .....</u>	<u>Marion</u>
Badger Lake .....	Monona
Tieville/Decatur Bend .....	Monona
Five Island Lake .....	Palo Alto
Big Creek Saylorville Complex .....	Polk
Chichaqua Area .....	Polk
<u>Polk City Refuge .....</u>	<u>Polk</u>
Smith Area .....	Pottawattamie
McCausland .....	Scott
Princeton Area .....	Scott
Prairie Rose Lake .....	Shelby
Otter Creek Marsh .....	Tama
Green Valley Lake .....	Union
Three Mile Lake .....	Union
Lake Sugema .....	Van Buren
Rice Lake Area .....	Winnebago
Snyder Lake .....	Woodbury
Elk Creek Marsh .....	Worth
Lake Cornelia .....	Wright

~~b. It shall be unlawful to trespass in any manner on the following areas, where posted, anytime year around, except that department personnel and law enforcement officials may enter the area at any time in performance of their duties, and hunters under the supervision of department staff may enter when specifically authorized by the department of natural resources.~~

Area ..... County

~~Middle River Wildlife Area (formerly Banner Pits) Warren  
Black Hawk Bottoms Wildlife Area .....Des Moines~~

~~c. It shall be unlawful to trespass in any manner on the following areas or portion of the areas during the time of the year they are posted as refuges. Department personnel and law enforcement officials may enter the area at any time in performance of their duties, and hunters under the supervision of department staff may enter to retrieve dead or wounded game animals when specifically authorized by the department.~~

~~Area ..... County  
Gladys Black Eagle Refuge ..... Marion~~

**ITEM 2.** Adopt new subrules 52.1(4) and 52.1(5) as follows:

**52.1(4)** Waterfowl refuges.

a. Restrictions. The following areas under the jurisdiction of the department of natural resources are established as waterfowl refuges where posted. It shall be unlawful to hunt ducks and geese on the following areas, where posted, at any time during the year. It shall be unlawful to trespass in any manner on the following areas, where posted, during the dates posted, both dates inclusive, except that department personnel, law enforcement officials, and anyone specifically authorized by the department of natural resources may enter the area at any time in performance of their duties, and hunters, under the supervision of department staff, may enter when specifically authorized by the department of natural resources.

<u>Area</u>	<u>County</u>
Lake Icaria .....	Adams
Pool Slough Wildlife Area.....	Allamakee
Rathbun Area .....	Appanoose, Lucas, Wayne
Sedan Bottoms .....	Appanoose
Sweet Marsh.....	Bremer
Big Marsh.....	Butler
Ventura Marsh .....	Cerro Gordo
Round Lake .....	Clay
Jemmerson Slough Complex .....	Dickinson
Forney Lake .....	Fremont
Riverton Area.....	Fremont
Dunbar Slough .....	Greene
Bays Branch .....	Guthrie
Crystal Hills .....	Hancock
Eagle Flats.....	Hancock
Eagle Lake .....	Hancock
Green Island Area .....	Jackson
Muskrat Slough.....	Jones

Red Rock Area.....	Marion, Polk, Warren
Badger Lake.....	Monona
Chichaqua Area.....	Polk
McCausland.....	Scott
Princeton Area.....	Scott
Otter Creek Marsh.....	Tama
Three Mile Lake.....	Union
Lake Sugema.....	Van Buren
Rice Lake Area.....	Winnebago
Snyder Bend Lake.....	Woodbury
Elk Creek Marsh.....	Worth

**52.1(5) Restricted areas.**

a. Restrictions. It shall be unlawful to trespass in any manner on areas posted as restricted areas, except that department personnel, law enforcement officials, and anyone specifically authorized by the department of natural resources may enter the area at any time in performance of their duties.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Roger L. Lande, Director

(P:52n/mg)

**Motion** – Commissioner Rettig  
**Seconded** – Commissioner Francisco  
**Decision** – Approved by Unanimous Vote

**APPROVED AS PRESENTED**

**19. CHAPTER 91, WATERFOWL AND COOT HUNTING SEASONS – NOIA**

The Commission is requested to approve this Notice to amend Chapter 91, Waterfowl and Coot Hunting Seasons.

These rules stipulate the regulations for hunting waterfowl and coot and include season dates, bag limits, possession limits, shooting hours, and areas open to hunting. Season dates are adjusted to comply with federal regulations and to ensure the seasons open on weekends. The boundary line between the north and south duck and goose hunting zones is adjusted so the Missouri River and wetland areas adjacent to it are in the south duck and goose hunting zone.

**NATURAL RESOURCE COMMISSION[571]  
Notice of Intended Action**

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby gives Notice of Intended Action to amend Chapter 91, "Waterfowl and Coot Hunting Seasons," Iowa Administrative Code.

These rules give the regulations for hunting waterfowl and coot and include season dates, bag limits, possession limits, shooting hours, and areas open to hunting.

The proposed amendments make annual adjustments to the season dates to comply with federal regulations and to ensure the season is open on weekends.

Any interested person may make written suggestions or comments on the proposed amendments on or before April 27, 2011. Written comments may be directed to the Wildlife Bureau's Web site at [www.iowadnr.com](http://www.iowadnr.com) or may be sent to the Wildlife Bureau Chief, Department of Natural Resources, Wallace State Office Building, Des Moines, Iowa 50319-0034; fax (515)281-6794. Persons who wish to convey their views orally should contact the Wildlife Bureau at (515)281-5034 or at the Wildlife Bureau offices on the fourth floor of the Wallace State Office Building.

There will be public hearing held via the Iowa Communications Network on April 27, 2011, from 6 to 9 p.m. Interested persons should contact the Department at (515)281-5034 for a list of hearing locations or go to the Department's Web site at [www.iowadnr.com](http://www.iowadnr.com). At the public hearing, persons may present their views either orally or in writing. Participants will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendments.

Any persons who intend to attend the public hearings and have special requirements such as those related to hearing or mobility impairments should contact the Department of Natural Resources and request specific accommodations.

These amendments are intended to implement Iowa Code sections 481A.38, 481A.39, and 481A.48.

The following amendments are proposed.

**ITEM 1.** Amend subrules 91.1(1) through 91.1(3) as follows:

**91.1(1)** Zone boundaries. The north duck hunting zone is that part of Iowa north of a line beginning on the ~~Nebraska-Iowa border~~ at South Dakota-Iowa border at Interstate 29, southeast to Woodbury County Road D38, east to Woodbury County Road K45, southeast to State Highway 175, east to State Highway 37, southeast to State Highway 183, northeast to State Highway 141, east to U.S. Highway 30, and along U.S. Highway 30 to the Iowa-Illinois border. The south duck hunting zone is the remainder of the state.

**91.1(2)** Season dates - north zone. For all ducks: September ~~18~~ 17 through September ~~22~~ 21 and October ~~16~~ 15 through December ~~9~~ 8.

**91.1(3)** Season dates - south zone. For all ducks: September ~~18~~ 17 through September ~~22~~ 21 and October ~~23~~ 22 through December ~~16~~ 15.

**ITEM 2.** Amend subrules 91.3 (1) through 91.3(3) as follows:

**91.3(1)** Zone boundaries. The north goose hunting zone is that part of Iowa north of a line beginning on the ~~Nebraska-Iowa border at~~ South Dakota-Iowa border at Interstate 29, southeast to Woodbury County Road D38, east to Woodbury County Road K45, southeast to State Highway 175, east to State Highway 37, southeast to State Highway 183, northeast to State Highway 141, east to U.S. Highway 30, and along U.S. Highway 30 to the Iowa-Illinois border. The south goose hunting zone is the remainder of the state.

**91.3(2)** Season dates - north zone. Canada geese and brant: September ~~25~~ 24 through October ~~10~~ 9 and October ~~16~~ 15 through January ~~5, 2011~~ 4, 2012. White-fronted geese: September ~~25~~ 24 through December ~~5~~ 4. Light geese (white and blue-phase snow geese and Ross' geese): September ~~25~~ 24 through January ~~9, 2011~~ 8, 2012.

**91.3(3)** Season dates - south zone. Canada geese and brant: October ~~2~~ 1 through October ~~17~~ 16 and October ~~23~~ 22 through January ~~12, 2011~~ 11, 2012. White-fronted geese: October ~~2~~ 1 through December ~~12~~ 11. Light geese (white and blue-phase snow geese and Ross' geese): October ~~2~~ 1 through January ~~14, 2011~~ 13, 2012.

**ITEM 3.** Amend subrules 91.3(7) and 91.3(9) through 91.3(11) as follows:

**91.3(7)** Light goose conservation order season. Only light geese (white and blue-phase snow geese and Ross' geese) may be taken under a conservation order from the U.S. Fish and Wildlife Service from January ~~15, 2011~~ 14, 2012, through April 15, ~~2011~~ 2012.

**91.3(9)** Cedar Rapids/Iowa City goose hunting zone.

a. Season dates. September ~~4~~ 3 through September ~~12~~ 11.

**91.3(10)** Des Moines goose hunting zone.

a. Season dates. September ~~4~~ 3 through September ~~12~~ 11.

**91.3(11)** Cedar Falls/Waterloo goose hunting zone.

a. Season dates. September ~~4~~ 3 through September ~~12~~ 11.

**ITEM 4.** Amend rule 571--91.6(481A) as follows:

**571—91.6(481A)** Youth waterfowl hunt. A special youth waterfowl hunt will be held on October ~~2 and 3, 2010~~ 1 and 2, 2011, in the north duck hunting zone and October ~~9 and 10, 2010~~ 8 and 9, 2011, in the south duck hunting zone. Youth hunters must be residents of Iowa as defined in Iowa Code section 483A.1A and less than 16 years old. Each youth hunter must be accompanied by an adult 18 years old or older. The youth hunter does not need to have a hunting license or stamps. The adult must have a valid hunting license and habitat stamp if normally required to have them to hunt and a state waterfowl stamp. Only the youth hunter may shoot ducks and coots. The adult may hunt for any other game birds for which the season is open. The daily bag and possession limits are the same as for the regular waterfowl season, as defined in rule 571—91.1(481A). All other hunting regulations in effect for the regular waterfowl season apply to the youth hunt.

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Date

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Roger L. Lande, Director

(P:91n/mg)

**Motion** – Commissioner Underwood

**Seconded** – Commissioner Garst

**Discussion** – Commissioner Drees had hoped to see something a little more creative but understood that it was early in the process; he reminded the commission that this is the year in which there is an opportunity to change the zones and seasons. The Fish and Wildlife Service has said that there may be two additional options other than the current options Iowa has, however this will be unknown until late summer, these options may be to split the state into three zones with split seasons in each or split the state into four zones with continuous seasons in each.

**Decision** – Approved by Unanimous Vote

**APPROVED AS PRESENTED**

## **20. CHAPTER 94, NONRESIDENT DEER HUNTING**

The Commission is requested to approve this Notice to amend Chapter 94, “Nonresident Deer Hunting,” Iowa Administrative Code.

Chapter 94 gives the regulations for nonresident deer hunting and includes season dates, bag limits, possession limits, shooting hours, areas open to hunting, licensing procedures, means and methods of take, and transportation and reporting requirements. The proposed amendments also clarify which cartridges are legal for deer hunting with a handgun. The minimum case length removes some cartridges which are not designed for hunting deer from the list of legal cartridges. The amendments modify the hunter orange requirement for blinds during the shotgun season so that the visible orange is a minimum size not shape. The proposed amendments allow dogs to be used to recover wounded deer. The dog must be on a leash and the hunter must have permission to track a wounded deer with a dog on private property. The amendments clarify that antlerless deer are tagged on a leg and antlered deer are tagged on the main beam of the antlered. This change will help keep the tag from pulling off accidentally during transport.

**NATURAL RESOURCE COMMISSION[571]  
Notice of Intended Action**

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby gives Notice of Intended Action to amend Chapter 94, "Nonresident Deer Hunting," Iowa Administrative Code.

Chapter 94 gives the regulations for nonresident deer hunting and includes season dates, bag limits, possession limits, shooting hours, areas open to hunting, licensing procedures, means and methods of take, and transportation and reporting requirements.

The proposed amendments:

1. Clarify which cartridges are legal for deer hunting with a handgun. The minimum length requirement removes some cartridges which are not designed for hunting deer.
2. Modify the hunter orange requirement for blinds during the shotgun season so that the visible orange is a minimum size, not shape.
3. Allow dogs to be used to recover wounded deer. The dog must be on a leash and the hunter must have permission to track a wounded deer with a dog on private property.
4. Clarify that antlerless deer are tagged on a leg and antlered deer are tagged on the main beam of the antler. This will help keep the tag from pulling off accidentally during transport.

Any interested person may make written suggestions or comments on the proposed amendments on or before April 27, 2011. Written comments may be directed to the Wildlife Bureau's Web site at [www.iowadnr.com](http://www.iowadnr.com) or may be sent to the Wildlife Bureau Chief, Department of Natural Resources, Wallace State Office Building, Des Moines, Iowa 50319-0034; fax (515)281-6794. Persons who wish to convey their views orally should contact the Wildlife Bureau at (515)281-5034 or at the Wildlife Bureau offices on the fourth floor of the Wallace State Office Building.

There will be a public hearing held via the Iowa Communications Network on April 27, 2011, from 6 to 9 p.m. Interested persons should contact the Department at (515)281-5034 for a list of hearing locations or go to the Department's Web site at [www.iowadnr.com](http://www.iowadnr.com). At the public hearing, persons may present their views either orally or in writing. Participants will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendments.

Any persons who intend to attend the public hearings and have special requirements such as those related to hearing or mobility impairments should contact the Department of Natural Resources and request specific accommodations.

These amendments are intended to implement Iowa Code sections 481A.38, 481A.39, 481A.48, 483A.1, 483A.8 and 483A.24.

The following amendments are proposed.

**ITEM 1.** Amend subrule 94.7(3) as follows:

**94.7(3)** Muzzleloader and holiday seasons. During the muzzleloader and holiday seasons, deer may be taken with a muzzleloader, handgun, or bow as described in 94.7(1). Muzzleloading rifles are defined as flintlock or percussion cap lock muzzleloaded rifles and muskets of not less than .44 and not larger than .775 caliber, shooting single projectiles only. Centerfire handguns must be .357 caliber or larger, ~~shooting use~~ straight-walled cartridges propelling with a case that is at least 1.16 inches long without the bullet, use an expanding-type bullet (no full-metal jacket) and complying with all other requirements provided in Iowa Code section 481A.48. Legal handgun calibers are listed on the department of natural resources list of “Acceptable Handgun Calibers for Hunting Deer in Iowa.” Revolvers, pistols and black powder handguns must have a 4-inch minimum barrel length. There can be no shoulder stock or long-barrel modifications to handguns. Muzzleloading handguns must be .44 caliber or larger, shooting single projectiles only.

**ITEM 2.** Amend subrule 94.7(6) as follows:

**94.7(6)** Hunting from blinds. No person shall use a blind for hunting deer during the regular gun deer seasons as defined in 94.2(2), unless such blind exhibits a solid blaze orange marking which is a minimum of 144 square inches in size that is visible in all directions ~~with a minimum height of 12 inches and a minimum width of 12 inches~~. Such blaze orange shall be affixed directly on or directly on top of the blind. For the purposes of this subrule, the term “blind” is defined as a place of concealment constructed, either wholly or partially from man-made materials, and used by a person who is hunting for the purpose of hiding from sight. A blind is not a naturally occurring landscape feature or an arrangement of natural or agricultural plant material that a hunter uses for concealment. In addition to the requirements in this subrule, hunters using blinds must also satisfy the requirements of wearing blaze orange as prescribed in Iowa Code section 481A.122.

**ITEM 3.** Adopt new subrule 94.7(7) as follows:

**94.7(7)** Tracking wounded deer with dogs. Dogs may only be used to track or trail wounded deer. The dog must be on a leash at all times and remain under control of the person using the dog to track the wounded deer. A person must obtain permission from the landowner before using a tracking dog on private land to recover a wounded deer.

**ITEM 4.** Amend rule 571--94.9(481A) as follows:

**571--94.9(481A)** Transportation tag. A transportation tag bearing the license number of the licensee, year of issuance, and date of kill properly shown shall be visibly attached to ~~the carcass~~ one leg of each antlerless deer or on the main beam between two points, if present, on one of the antlers of an antlered deer, in such a manner that the tag cannot be removed without mutilating or destroying the tag, within 15 minutes of the time the deer is killed or before ~~the carcass of the~~

deer is moved in any manner, whichever first occurs. This tag shall be proof of possession and shall remain affixed to the carcass until such time as the animal is processed for consumption. The head, and antlers if any, shall remain attached to all deer while being transported by any means whatsoever from the place where taken to the processor or commercial preservation facility, or until the deer has been processed for consumption.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Roger L. Lande, Director

(P:94n/mg)

**Motion(1)** – Commissioner Francisco  
**Seconded** – Commissioner Rettig  
**Motion(2)** – Commissioner Garst motioned to amend section 94.7(5) the title which is discharge of firearms from highways be amended to read:  
 No person shall discharge a shotgun shooting slugs or a rifle, including a muzzleloading rifle or musket, or a handgun from a highway during the regular gun seasons in all counties and parts of counties north of Highway 30 (what it currently says) to instead read north of Highways G12, I680, and I80.  
**Seconded** – Commissioner Francisco  
**Discussion** – Commissioner Garst explained that she felt that to be able to shoot from a highway is extremely unsafe, especially when using deer slugs. She stated that she did not propose eliminating it from the entire state of Iowa because she understood that in Southern Iowa there is enough dense forest a person cannot see clearly until they are near the roadway, but in many parts of the state there is not as much forest. Her intent in the motion amendment is to prevent people from shooting over property lines or the roadway.  
**Decision** – Approved by Unanimous Vote to approve with amendment  
**Motion(3)** – Commissioner Francisco motioned to amend the item by deleting the proposed change that states ‘Clarify which cartridges are legal for deer hunting with a handgun. The minimum length requirement removes some cartridges which are not designed for hunting deer.’ and leave it as it is now.  
**Seconded** – Commissioner Schemmel  
**Decision** – Approved by Unanimous Vote to approve with both amendments

**APPROVED AS AMENDED**

## 21. CHAPTER 96, PHEASANT, QUAIL, AND GRAY PARTRIDGE SEASONS

The Commission is requested to approve this Notice to amend Chapter 96, "Pheasant, quail, and gray partridge seasons", Iowa Administrative Code.

These rules stipulate the regulations for hunting pheasant, quail, and gray partridge and include season dates, bag limits, possession limits, shooting hours, and areas open to hunting. The proposed amendment adds language to make it illegal to take pheasant, quail, and gray partridge from a motor vehicle.

### NATURAL RESOURCE COMMISSION[571] Notice of Intended Action

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby gives Notice of Intended Action to amend Chapter 96, "Pheasant, Quail, and Gray Partridge Seasons," Iowa Administrative Code.

These rules stipulate the regulations for hunting pheasant, quail, and gray partridge and include season dates, bag limits, possession limits, shooting hours, and areas open to hunting.

The proposed amendment adds language to make it illegal to take pheasant, quail, and gray partridge from a motor vehicle.

Any interested person may make written suggestions or comments on the proposed amendment on or before April 27, 2011. Written comments may be directed to the Wildlife Bureau's Web site at [www.iowadnr.com](http://www.iowadnr.com) or may be sent to the Wildlife Bureau Chief, Department of Natural Resources, Wallace State Office Building, Des Moines, Iowa 50319-0034; fax (515)281-6794. Persons who wish to convey their views orally should contact the Wildlife Bureau at (515)281-5034 or at the Wildlife Bureau offices on the fourth floor of the Wallace State Office Building.

There will be a public hearing held via the Iowa Communications Network on April 27, 2011, from 6 to 9 p.m. Interested persons should contact the Department at (515)281-5034 for a list of hearing locations or go to the Department's Web site at [www.iowadnr.com](http://www.iowadnr.com). At the public hearing, persons may present their views either orally or in writing. Participants will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendment.

Any persons who intend to attend the public hearings and have special requirements such as those related to hearing or mobility impairments should contact the Department of Natural Resources and request specific accommodations.

This amendment is intended to implement Iowa Code sections 481A.38, 481A.39, and 481A.48.

The following amendment is proposed.

Adopt new rule 571--96.4(481A) as follows:

**571--96.4(481A)** Hunting methods. No person shall take pheasant, quail, and gray partridge from or by means, aid, or use of any motor vehicle, motor-driven land conveyance, except that paraplegics and single or double amputees of the legs may take from any stationary

motor-driven land conveyance. "Paraplegic" means an individual afflicted with paralysis of the lower half of the body with the involvement of both legs, usually due to disease of or injury to the spinal cord.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Roger L. Lande, Director

(P:96n/mg)

<p><b>Motion</b> – Commissioner Rettig <b>Seconded</b> – Commissioner Schemmel <b>Decision</b> – Approved by Unanimous Vote</p>
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<p><b>APPROVED AS PRESENTED</b></p>
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**22. CHAPTER 97, COMMON SNIPE, VIRGINIA RAIL AND SORA, WOODCOCK AND RUFFED GROUSE HUNTING SEASONS**

The Commission is requested to approve this Notice to amend Chapter 97, "Common snipe, Virginia rail and sora, woodcock and ruffed grouse hunting seasons", Iowa Administrative Code.

These rules stipulate the regulations for hunting Common snipe, Virginia rail and sora, woodcock and ruffed grouse and include season dates, bag limits, possession limits, shooting hours, and areas open to hunting. The proposed amendment adds language to make it illegal to take ruffed grouse from a motor vehicle. The use of a motor vehicle to take common snipe, Virginia rail, sora rail and woodcock is already prohibited in Chapter 92.

**NATURAL RESOURCE COMMISSION[571]  
Notice of Intended Action**

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby gives Notice of Intended Action to amend Chapter 97, "Common Snipe, Virginia Rail and Sora, Woodcock and Ruffed Grouse Hunting Seasons," Iowa Administrative Code.

These rules stipulate the regulations for hunting Common snipe, Virginia rail and sora, woodcock and ruffed grouse and include season dates, bag limits, possession limits, shooting hours, and areas open to hunting.

The proposed amendment adds language to make it illegal to take ruffed grouse from a motor vehicle. The use of a motor vehicle to take common snipe, Virginia rail, sora rail and woodcock is already prohibited in 571--Chapter 92.

Any interested person may make written suggestions or comments on the proposed amendment on or before April 27, 2011. Written comments may be directed to the Wildlife Bureau's Web site at [www.iowadnr.com](http://www.iowadnr.com) or may be sent to the Wildlife Bureau Chief, Department of Natural Resources, Wallace State Office Building, Des Moines, Iowa 50319-0034; fax (515)281-6794. Persons who wish to convey their views orally should contact the Wildlife Bureau at (515)281-5034 or at the Wildlife Bureau offices on the fourth floor of the Wallace State Office Building.

There will be a public hearing held via the Iowa Communications Network on April 27, 2011, from 6 to 9 p.m. Interested persons should contact the Department at (515)281-5034 for a list of hearing locations or go to the Department's Web site at [www.iowadnr.com](http://www.iowadnr.com). At the public hearing, persons may present their views either orally or in writing. Participants will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendment.

Any persons who intend to attend the public hearings and have special requirements such as those related to hearing or mobility impairments should contact the Department of Natural Resources and request specific accommodations.

This amendment is intended to implement Iowa Code sections 481A.38, 481A.39 and 481A.48.

The following amendment is proposed.

Adopt **new** rule 571--97.5(481A) as follows:

**571--97.5(481A)** Hunting methods. No person shall take ruffed grouse from or by means, aid, or use of any motor vehicle or motor-driven land conveyance, except that paraplegics and single or double amputees of the legs may take from any stationary motor-driven land conveyance. "Paraplegic" means an individual afflicted with paralysis of the lower half of the body with the involvement of both legs, usually due to disease of or injury to the spinal cord.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Roger L. Lande, Director

(P:97n/mg)

**Motion** – Commissioner Underwood  
**Seconded** – Commissioner Francisco  
**Decision** – Approved by Unanimous Vote

**APPROVED AS PRESENTED**

### **23. CHAPTER 98, WILD TURKEY SPRING HUNTING**

The Commission is requested to approve this Notice to amend Chapter 98, “Wild Turkey Spring Hunting,” Iowa Administrative Code.

Chapter 98 regulates hunting wild turkeys during the spring and includes season dates, bag limits, possession limits, shooting hours, areas open to hunting, licensing procedures, means and method of take, and transportation tag requirements. The proposed amendments lengthen the youth season from 3 to 9 days and change the starting date for the regular turkey season From the Monday closest April 13th to the Monday closest to April 15th. This provides more time for youth hunters to hunt during the youth season and moves the regular turkey seasons back an average of 3 days. The proposed amendments also provide that the cost of the preference point for a nonresident who was unsuccessful in the draw be refunded if the hunter buys a license that was left over after the drawing in a different zone or season.

#### **NATURAL RESOURCE COMMISSION[571] Notice of Intended Action**

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby gives Notice of Intended Action to amend Chapter 98, “Wild Turkey Spring Hunting,” Iowa Administrative Code.

Chapter 98 regulates hunting wild turkeys during the spring and includes season dates, bag limits, possession limits, shooting hours, areas open to hunting, licensing procedures, means and method of take, and transportation tag requirements.

The proposed amendments lengthen the youth season from 3 to 9 days and change the starting date for the regular turkey season from the Monday closest to April 13 to the Monday closest to April 15. This provides more time for youth hunters to hunt during the youth season and moves the regular turkey seasons back an average of 3 days. The proposed amendments also provide that the cost of the preference point for a nonresident who was unsuccessful in the draw be refunded if the hunter buys a license that was left over after the drawing in a different zone or season.

Any interested person may make written suggestions or comments on the proposed amendments on or before April 27, 2011. Written comments may be directed to the Wildlife Bureau's Web site at [www.iowadnr.com](http://www.iowadnr.com) or may be sent to the Wildlife Bureau Chief, Department of Natural Resources, Wallace State Office Building, Des Moines, Iowa 50319-0034; fax (515)281-6794. Persons who wish to convey their views orally should contact the Wildlife Bureau at (515)281-5034 or at the Wildlife Bureau offices on the fourth floor of the Wallace State Office Building.

There will be a public hearing held via the Iowa Communications Network on April 27, 2011, from 6 to 9 p.m. Interested persons should contact the Department at (515)281-5034 for a list of hearing locations or go to the Department's Web site at [www.iowadnr.com](http://www.iowadnr.com). At the public hearing, persons may present their views either orally or in writing. Participants will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendments.

Any persons who intend to attend the public hearings and have special requirements such as those related to hearing or mobility impairments should contact the Department of Natural Resources and request specific accommodations.

These amendments are intended to implement Iowa Code sections 481A.38, 481A.39, 481A.48, 483A.1, 483A.7 and 483A.24.

The following amendments are proposed.

**ITEM 1.** Amend subrule 98.2(4) as follows:

98.2(4) Seasons. Seasons will be established in accordance with the type of license issued.

a. Combination shotgun-or-archery licenses. Consecutive seasons are 4, 5, 7, and 19 days, respectively, with the first season beginning on the Monday closest to April ~~13~~ 15. These seasons shall be designated as seasons 1, 2, 3 and 4, respectively.

b. Archery-only licenses. The season shall be 35 days beginning on the Monday closest to April ~~13~~ 15.

**ITEM 2.** Amend subrule 98.6(2) as follows:

98.6(2) Youth season dates. The youth turkey hunting license shall be valid during the ~~Friday, Saturday and Sunday~~ 9 days immediately before the first turkey season.

**ITEM 3.** Amend rule 571--98.13(481A), second unnumbered paragraph, as follows:

Each individual applicant who is unsuccessful in the drawing will be assigned one preference point for each year in which the individual applies and is unsuccessful. If a person who was unsuccessful in the drawing purchases a leftover license within four weeks, the person will receive a refund for the cost of the preference point. Preference points will not accrue in a year in which an applicant fails to apply, but the applicant will retain any preference points previously earned. Once an applicant receives a license, all preference points will be erased.

Preference points will apply to any zone or season for which a hunter applies. The first license drawing each year will be made from the pool of applicants with the most preference points. If licenses are still available after the first drawing, subsequent drawings will be made from pools of applicants with successively fewer preference points and continue until the license quota is reached or all applicants have received licenses. Applicants who apply as a group will be included in a pool of applicants with the same number of preference points as that of the member of the group with the fewest preference points assigned.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Roger L. Lande, Director

(P:98n/mg)

**Motion** – Commissioner Francisco  
**Seconded** – Commissioner Rettig  
**Decision** – Approved by Unanimous Vote

**APPROVED AS PRESENTED**

**24. CHAPTER 106, DEER HUNTING BY RESIDENTS**

The Commission is requested to approve this Notice to amend Chapter 106, “Deer Hunting by Residents,” Iowa Administrative Code.

The proposed amendments specify changes in quota numbers by county for antlerless deer licenses and the counties open for the November and January antlerless seasons in order to meet the Department’s management objective for deer. The quotas and counties open may need to be changed to meet the department’s goal after all of the deer survey data is collected and analyzed.

The amendments restrict hunters who purchase one of the 7,500 paid any-sex early muzzleloader licenses from purchasing a paid antlerless license during either the first or second regular gun season. Deer numbers are at a level that this change will not adversely affect the number of does taken and it will allow more hunters who only want to hunt during the early muzzleloader season the opportunity to obtain a license.

The proposed amendments also clarify which cartridges are legal for deer hunting with a handgun. The minimum case length removes some cartridges which are not designed for hunting deer from the list of legal cartridges. The amendments modify the hunter orange requirement for blinds during the shotgun season so that the visible orange is a minimum size not shape. The proposed amendments allow dogs to be used to recover wounded deer. The dog must be on a leash and the hunter must have permission to track a wounded deer with a dog on private property. The amendments clarify that antlerless deer are tagged on a leg and antlered deer are tagged on the main beam of the antlered. This change will keep the tag from pulling off accidentally during transport.

**NATURAL RESOURCE COMMISSION[571]**  
**Notice of Intended Action**

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby gives Notice of Intended Action to amend Chapter 106, "Deer Hunting by Residents," Iowa Administrative Code.

The proposed amendments:

1. Change quota numbers by county for antlerless deer licenses and change the counties open for the November and January antlerless seasons in order to meet the Department's management objective for deer. The quotas and counties open may need to be changed to meet the Department's goal after all of the deer survey data is collected and analyzed.

2. Restrict hunters who purchase one of the 7,500 paid any-sex early muzzleloader licenses from purchasing a paid antlerless license during either the first or second regular gun season. Deer numbers are at a level that this change will not adversely affect the number of does taken and it will allow more hunters who only want to hunt during the early muzzleloader season the opportunity to obtain a license.

3. Clarify which cartridges are legal for deer hunting with a handgun. The minimum case length removes some cartridges which are not designed for hunting deer from the list of legal cartridges.

4. Modify the hunter orange requirement for blinds during the shotgun season so that the visible orange is a minimum size not shape.

5. Allow dogs to be used to recover wounded deer. The dog must be on a leash and the hunter must have permission to track a wounded deer with a dog on private property.

6. Clarify that antlerless deer are tagged on a leg and antlered deer are tagged on the main beam of the antler. This change will keep the tag from pulling off accidentally during transport.

Any interested person may make written suggestions or comments on the proposed amendments on or before April 27, 2011. Written comments may be directed to the Wildlife Bureau's Web site at [www.iowadnr.com](http://www.iowadnr.com) or may be sent to the Wildlife Bureau Chief, Department of Natural Resources, Wallace State Office Building, Des Moines, Iowa 50319-0034; fax (515)281-6794. Persons who wish to convey their views orally should contact the Wildlife Bureau at (515)281-5034 or at the Wildlife Bureau offices on the fourth floor of the Wallace State Office Building.

There will be a public hearing held via the Iowa Communications Network on April 27, 2011, from 6 to 9 p.m. Interested persons should contact the Department at (515)281-5034 for a list of hearing locations or go to the Department's Web site at [www.iowadnr.com](http://www.iowadnr.com). At the public hearing, persons may present their views either orally or in writing. Participants will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendments.

Any persons who intend to attend the public hearings and have special requirements such as those related to hearing or mobility impairments should contact the Department of Natural Resources and request specific accommodations.

These amendments are intended to implement Iowa Code sections 481A.38, 481A.39, 481A.48, 483A.24, and 483A.24B and 2009 Iowa Acts, Senate File 187.

The following amendments are proposed.

**ITEM 1.** Amend subrule 106.2(5) as follows:

**106.2(5)** January antlerless-deer-only season. Antlerless deer may be taken from January 11 through the ~~third~~ second following Sunday.

**ITEM 2.** Amend paragraph 106.6(2)"b" as follows:

b. No one may obtain paid licenses for both the first regular gun season and second regular gun season regardless of whether the licenses are valid for any deer or antlerless deer only. Paid antlerless-deer-only licenses for the early muzzleloader season may only be purchased by hunters who have already purchased one of the 7,500 paid statewide any-deer licenses. Hunters who purchase one of the 7,500 paid statewide any-deer licenses for the early muzzleloader season may not obtain paid antlerless licenses for the first or second regular gun seasons.

**ITEM 3.** Amend subrule 106.6(3) as follows:

**106.6(3)** November antlerless-deer-only season. Antlerless-deer-only licenses for the November antlerless-deer-only season shall be available in the following counties: Adair, Adams, ~~Allamakee~~, Appanoose, Cass, Clarke, ~~Clayton~~, Dallas, Davis, Decatur, ~~Des Moines~~, ~~Fayette~~, Fremont, Guthrie, ~~Harrison~~, ~~Henry~~, ~~Jasper~~, Jefferson, ~~Keokuk~~, ~~Lee~~, ~~Louisa~~, Lucas, Madison, ~~Mahaska~~, ~~Marion~~, Mills, ~~Monona~~, Monroe, Montgomery, Page, ~~Polk~~, Pottawattamie, Ringgold, Taylor, Union, Van Buren, Wapello, ~~Warren~~, ~~Washington~~, and Wayne, ~~Winneshiek~~, and ~~Woodbury~~. Beginning the second Saturday prior to the opening of the November antlerless-deer-only season, an unlimited number of paid antlerless-deer-only licenses may be purchased for the November antlerless-deer-only season. These licenses may be obtained regardless of any other paid any-deer or paid antlerless-deer-only licenses that may have been obtained. Licenses will be sold until county quotas are filled. Licenses issued for this season are valid only on private property.

**ITEM 4.** Amend subrule 106.6(4) as follows:

**106.6(4)** January antlerless-deer-only licenses. Antlerless-deer-only licenses for the January antlerless-deer-only season shall be available in the following counties: Adair, Adams, ~~Allamakee~~, Appanoose, Cass, Clarke, ~~Clayton~~, Dallas, Davis, Decatur, Des Moines, ~~Fayette~~, Fremont, Guthrie, Harrison, Henry, Jasper, Jefferson, Keokuk, Lee, Louisa, Lucas, Madison, Mahaska, Marion, Mills, Monona, Monroe, Montgomery, Page, Polk, Pottawattamie, Ringgold, Taylor, Union, Van Buren, Wapello, Warren, Washington, Wayne, ~~Winneshiek~~, and Woodbury. Beginning December 15, an unlimited number of paid antlerless-deer-only licenses may be purchased for the January antlerless-deer-only season. These licenses may be obtained regardless of any other paid any-deer or paid antlerless-deer-only licenses that may have been obtained.

**ITEM 5.** Amend subrule 106.6(6) as follows:

**106.6(6)** Antlerless-deer-only licenses. Paid antlerless-deer-only licenses will be available by county as follows:

<u>County</u>	<u>Quota</u>	<u>County</u>	<u>Quota</u>	<u>County</u>	<u>Quota</u>
Adair	2400	Floyd	0	Monona	2500
Adams	1950	Franklin	0	Monroe	<del>3000</del> <u>2600</u>
Allamakee	<del>4500</del> <u>2700</u>	Fremont	1500	Montgomery	1300
Appanoose	<del>3300</del> <u>2800</u>	Greene	150	Muscatine	<del>1700</del> <u>1100</u>
Audubon	100	Grundy	0	O'Brien	0
Benton	<del>1000</del> <u>700</u>	Guthrie	3300	Osceola	0
Black Hawk	0	Hamilton	100	Page	1800
Boone	650	Hancock	0	Palo Alto	0
Bremer	700	Hardin	200	Plymouth	100
Buchanan	250	Harrison	2500	Pocahontas	0
Buena Vista	0	Henry	<del>2000</del> <u>1200</u>	Polk	<del>1500</del> <u>1200</u>
Butler	0	Howard	<del>350</del> <u>150</u>	Pottawattamie	2100
Calhoun	0	Humboldt	0	Poweshiek	<del>650</del> <u>550</u>
Carroll	100	Ida	0	Ringgold	2600
Cass	1300	Iowa	<del>1200</del> <u>950</u>	Sac	0
Cedar	<del>1300</del> <u>1000</u>	Jackson	<del>1800</del> <u>1200</u>	Scott	<del>800</del> <u>500</u>
Cerro Gordo	0	Jasper	<del>1700</del> <u>1500</u>	Shelby	400
Cherokee	0	Jefferson	<del>2150</del> <u>1550</u>	Sioux	0
Chickasaw	<del>450</del> <u>350</u>	Johnson	<del>2000</del> <u>1300</u>	Story	500
Clarke	2500	Jones	<del>1500</del> <u>750</u>	Tama	<del>650</del> <u>550</u>
Clay	0	Keokuk	<del>1900</del> <u>1600</u>	Taylor	2650
Clayton	<del>5800</del> <u>2500</u>	Kossuth	0	Union	2100
Clinton	<del>1200</del> <u>950</u>	Lee	<del>2500</del> <u>1300</u>	Van Buren	<del>5400</del> <u>4000</u>
Crawford	300	Linn	<del>1900</del> <u>1100</u>	Wapello	<del>2150</del> <u>1750</u>
Dallas	2700	Louisa	<del>1500</del> <u>900</u>	Warren	4200
Davis	<del>3600</del> <u>3000</u>	Lucas	2800	Washington	<del>2250</del> <u>1350</u>
Decatur	2800	Lyon	0	Wayne	3000
Delaware	<del>1550</del> <u>1450</u>	Madison	4000	Webster	100
Des Moines	<del>2000</del> <u>900</u>	Mahaska	1350	Winnebago	0
Dickinson	0	Marion	2250	Winneshiek	<del>3500</del> <u>2100</u>
Dubuque	<del>2000</del> <u>1200</u>	Marshall	<del>500</del> <u>300</u>	Woodbury	2500
Emmet	0	Mills	1350	Worth	0
Fayette	<del>2500</del> <u>1300</u>	Mitchell	0	Wright	0

**ITEM 6.** Amend subrule 106.7(1) as follows:

**106.7(1).** Muzzleloading rifles are defined as flintlock or percussion cap lock muzzleloaded rifles and muskets of not less than .44 and not larger than .775 caliber, shooting single projectiles only. Centerfire handguns must be .357 caliber or larger, ~~shooting use~~ straight-walled cartridges propelling with a case that is at least 1.16 inches long without the bullet, use an expanding-type bullet (no full-metal jacket) and complying with all other requirements provided in Iowa Code section 481A.48. Legal handgun calibers are listed on the department of natural resources list of Acceptable Handgun Calibers for Hunting Deer in Iowa. Revolvers, pistols and black powder handguns must have a 4-inch minimum barrel length. There can be no shoulder stock or long-barrel modifications to handguns. Muzzleloading handguns must be .44 caliber or larger, shooting single projectiles only.

**ITEM 7.** Amend subrule 106.7(8) as follows:

**106.7(8)** Hunting from blinds. No person shall use a blind for hunting deer during the regular gun deer seasons as defined in 106.2(3) ~~(2)~~, unless such blind exhibits a solid blaze orange marking which is a minimum of 144 square inches in size that is visible in all directions with a minimum height of 12 inches and a minimum width of 12 inches. Such blaze orange shall be affixed directly on or directly on top of the blind. For the purposes of this subrule, the term “blind” is defined as a place of concealment constructed, either wholly or partially from man-made materials, and used by a person who is hunting for the purpose of hiding from sight. A blind is not a naturally occurring landscape feature or an arrangement of natural or agricultural plant material that a hunter uses for concealment. In addition to the requirements in this subrule, hunters using blinds must also satisfy the requirements of wearing blaze orange as prescribed in Iowa Code section 481A.122.

**ITEM 8.** Adopt new subrule 106.7(9) as follows:

**106.7(9)** Tracking wounded deer with dogs. Dogs may only be used to track or trail wounded deer. The dog must be on a leash at all times and remain under control of the person using the dog to track the wounded deer. A person must obtain permission from the landowner before using a tracking dog on private land to recover a wounded deer.

**ITEM 9.** Amend rule 571--106.9(481A) as follows:

**106.9** Transportation tag. A transportation tag bearing the license number of the licensee, year of issuance, and date of kill properly shown shall be visibly attached to ~~the carcass~~ one leg of each antlerless deer or on the main beam between two points, if present, on one of the antlers of an antlered deer in such a manner that the tag cannot be removed without mutilating or destroying the tag. This tag shall be attached to ~~the carcass~~ of the deer within 15 minutes of the time the deer is killed or before the carcass is moved in any manner, whichever occurs first. No person shall tag a deer with a transportation tag issued to another person or a tag that was purchased after the deer was taken. During the youth/disabled hunter season, bow season, early muzzleloader season and late muzzleloader season, the hunter who killed the deer must tag the deer by using the transportation tag issued in that person’s name. During the first and second

regular gun seasons and the November and January antlerless-deer-only seasons, anyone present in the hunting party may tag a deer with a tag issued in that person’s name. This tag shall be proof of possession and shall remain affixed to the carcass until such time as the animal is processed for consumption. The head, and antlers if any, shall remain attached to the deer while being transported by any means whatsoever from the place where taken to the processor or commercial preservation facility or until the deer has been processed for consumption.

\_\_\_\_\_
Date

\_\_\_\_\_
Roger L. Lande, Director

(P:106n/mg)

**Motion** – Commissioner Francisco motioned to approved with the same two amendments as in item#20.
**Seconded** – Commissioner Rettig
**Decision** – Approved as amended by Unanimous Vote

APPROVED AS AMENDED

**25. CHAPTER 107, RABBIT AND SQUIRREL HUNTING - NOIA**

The Commission is requested to approve this Notice to amend Chapter 107, Rabbit and Squirrel Hunting.

These rules stipulate the regulations for hunting rabbits and squirrels and include season dates, bag limits, possession limits, shooting hours, and areas open to hunting. The proposed amendments close the jackrabbit season statewide and add language to make it illegal to take rabbits and squirrels from a motor vehicle.

Jackrabbits have not been counted on the August roadside survey during 2 of the last 3 years and counts on the spring spotlight survey have also declined. Only 1 or 2 jackrabbits are reported harvested on the annual small game harvest survey. The decline of the jackrabbit population is related to the decline of suitable habitat, not hunting. Weather patterns since 2007 also may have contributed to the jackrabbit decline. White-tailed jackrabbits are considered extirpated in Missouri and Nebraska closed their season from Grand Island to the Iowa border in 2006. Minnesota still has a season, although their numbers are also in long term decline.

Studies in Iowa indicate that the few small jackrabbit populations that remain are not connected by suitable habitat. So although hunting is not the cause for the decline, additional mortality due to hunting may cause such isolated populations to disappear.

**NATURAL RESOURCE COMMISSION[571]****Notice of Intended Action**

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby gives Notice of Intended Action to amend Chapter 107, "Rabbit and Squirrel Hunting," Iowa Administrative Code.

These rules stipulate the regulations for hunting rabbits and squirrels and include season dates, bag limits, possession limits, shooting hours, and areas open to hunting.

The proposed amendments close the jackrabbit season statewide and add language that will make it illegal to take rabbits and squirrels from a motor vehicle. Jackrabbits have not been counted on the August roadside survey during 2 of the last 3 years and counts on the spring spotlight survey have also declined. The decline of the jackrabbit population is related to the decline of suitable habitat. Weather patterns since 2007 also may have contributed to the jackrabbit decline. White-tailed jackrabbits are considered extirpated in Missouri, and Nebraska closed their season from Grand Island to the Iowa border in 2006. Minnesota still has a season, although their numbers are also in long term decline.

Studies in Iowa indicate that the few small jackrabbit populations that remain are not connected by suitable habitat. So although hunting is not the cause for the statewide decline, additional mortality due to hunting may cause isolated populations to disappear.

Any interested person may make written suggestions or comments on the proposed amendments on or before April 27, 2011. Written comments may be directed to the Wildlife Bureau's Web site at [www.iowadnr.com](http://www.iowadnr.com) or may be sent to the Wildlife Bureau Chief, Department of Natural Resources, Wallace State Office Building, Des Moines, Iowa 50319-0034; fax (515)281-6794. Persons who wish to convey their views orally should contact the Wildlife Bureau at (515)281-5034 or at the Wildlife Bureau offices on the fourth floor of the Wallace State Office Building.

There will be a public hearing held via the Iowa Communications Network on April 27, 2011, from 6 to 9 p.m. Interested persons should contact the Department at (515)281-5034 for a list of hearing locations or go to the Department's Web site at [www.iowadnr.com](http://www.iowadnr.com). At the public hearing, persons may present their views either orally or in writing. Participants will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendments.

Any persons who intend to attend the public hearing and have special requirements such as those related to hearing or mobility impairments should contact the Department of Natural Resources and request specific accommodations.

These amendments are intended to implement Iowa Code sections 481A.38, 481A.39, and 481A.48.

The following amendments are proposed.

**ITEM 1.** Amend rule 571--107.2(481A) as follows:

~~**571--107.2(481A)** Jackrabbit season. Continuous closed season. ~~Open season for hunting jackrabbits shall be from the last Saturday in October through December 1 of each year. Bag limit shall be 1 per day; possession limit 2. Legal hunting hours shall be from sunrise to sunset. Entire state open.~~~~

**ITEM 2.** Adopt new rule 571--107.4(481A) as follows:

**571--107.4(481A)** Hunting methods. No person shall take squirrels or rabbits from or by means, aid, or use of any motor vehicle, motor-driven land conveyance, except that paraplegics and single or double amputees of the legs may take from any stationary motor-driven land conveyance. "Paraplegic" means an individual afflicted with paralysis of the lower half of the body with the involvement of both legs, usually due to disease of or injury to the spinal cord.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Roger L. Lande, Director

(P:107n/mg)

**Motion** – Commissioner Francisco  
**Seconded** – Commissioner Rettig  
**Decision** – Approved by Unanimous Vote

**APPROVED AS PRESENTED**

**26. CHAPTER 108, "MINK, MUSKRAT, RACCOON, BADGER, OPOSSUM, WEASEL, STRIPED SKUNK, FOX (RED AND GRAY), BEAVER, COYOTE, RIVER OTTER, BOBCAT, GRAY (TIMBER) WOLF AND SPOTTED SKUNK SEASONS"**

The Commission is requested to approve this Notice to amend Chapter 108, "Mink, Muskrat, Raccoon, Badger, Opossum, Weasel, Striped Skunk, Fox (Red and Gray), Beaver, Coyote, River Otter, Bobcat, Gray (Timber) Wolf and Spotted Skunk Seasons".

Chapter 108 sets the season dates, bag limits, possession limits and areas open to hunting or trapping furbearers.

The proposed amendments change the closing date for beavers from April 1 to April 15, increase the quota for bobcats from 250 to 350 and increase the quota for river otters from 500 to 650. Both populations appear capable of sustaining the increased harvest. The amendments also increase the seasonal bag limit from 2 to 3 for river otters. This will reduce the number of otters trapped and turned over to the DNR. The amendments also change the grace period for taking a bobcat or river otter from 48 hours to a period that ends at midnight of the day after the quota fills and the season is announced as being closed. The amendments also increase the amount of time allowed to get a CITES tag for a bobcat or river otter from 48 hours to 7 days. The bobcat

or river otter must still be reported within 24 hours of capture so that an accurate count can be maintained. The trapper is also required to bring the skin and the carcass when they pick up their CITES tag so that biological samples may be obtained from the carcass. An exception is made if the bobcat or river otter is going to be taking to a taxidermist to be mounted. The amendments also make it illegal to use a motor vehicle to take furbearing animals.

**NATURAL RESOURCE COMMISSION[571]**  
**Notice of Intended Action**

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby gives Notice of Intended Action to amend Chapter 108, "Mink, Muskrat, Raccoon, Badger, Opossum, Weasel, Striped Skunk, Fox (Red and Gray), Beaver, Coyote, River Otter, Bobcat, Gray (Timber) Wolf and Spotted Skunk Seasons," Iowa Administrative Code.

Chapter 108 sets the season dates, bag limits, possession limits and areas open to hunting or trapping furbearers. The proposed amendments:

1. Change the closing date for beavers from April 1 to April 15, increase the quota for bobcats from 250 to 350 and increase the quota for river otters from 500 to 650. Both populations appear capable of sustaining the increased harvest.

2. Increase the seasonal bag limit from 2 to 3 for river otters. This will reduce the number of otters trapped and turned over to the DNR.

3. Change the grace period for taking a bobcat or river otter from 48 hours to a period that ends at midnight of the day after the quota fills and the season is announced as being closed.

4. Increase the amount of time allowed to get a CITES tag for a bobcat or river otter from 48 hours to 7 days. The bobcat or river otter must still be reported within 24 hours of capture so that an accurate count can be maintained. The trapper is also required to bring the skin and the carcass when they pick up their CITES tag so that biological samples may be obtained from the carcass. An exception is made if the bobcat or river otter is going to be taken to a taxidermist to be mounted.

5. The amendments also make it illegal to use a motor vehicle to take furbearing animals.

Any interested person may make written suggestions or comments on the proposed amendments on or before April 27, 2011. Written comments may be directed to the Wildlife Bureau's Web site at [www.iowadnr.com](http://www.iowadnr.com) or may be sent to the Wildlife Bureau Chief, Department of Natural Resources, Wallace State Office Building, Des Moines, Iowa 50319-0034; fax (515)281-6794. Persons who wish to convey their views orally should contact the Wildlife Bureau at (515)281-5034 or at the Wildlife Bureau offices on the fourth floor of the Wallace State Office Building.

There will be a public hearing held via the Iowa Communications Network on April 27, 2011, from 6 to 9 p.m. Interested persons should contact the Department at (515)281-5034 for a list of hearing locations or go to the Department's Web site at [www.iowadnr.com](http://www.iowadnr.com). At the public hearing, persons may present their views either orally or in writing. Participants will be asked to

give their names and addresses for the record and to confine their remarks to the subject of the amendments.

Any persons who intend to attend the public hearings and have special requirements such as those related to hearing or mobility impairments should contact the Department of Natural Resources and request specific accommodations.

These amendments are intended to implement Iowa Code sections 481A.6, 481A.38, 481A.39, 481A.87, and 481A.90.

The following amendments are proposed.

**ITEM 1.** Amend rule 571--108.4(481A) as follows:

**108.4** Beaver. Open season for the taking of beaver shall be from 8 a.m. on the first Saturday in November through April ~~+~~ 15 of succeeding year. No bag or possession limit.

**ITEM 2.** Amend subrule 108.7(3) as follows:

**108.7(3)** Quotas and seasonal bag limit.

- a. Seasonal bag limit. The seasonal bag limit is ~~2~~ 3 river otters and 1 bobcat per person.
- b. Quotas. The quota for the number of river otters that may be taken is ~~500~~ 650 statewide. The quota for the number of bobcats that may be taken is ~~250~~ 350 in the open area. The season shall end for river otters when the number of river otters trapped, as determined by the harvest reporting system, reaches ~~500~~ the quota. The season shall end for bobcats when the number of bobcats taken, as determined by the harvest reporting system, reaches ~~250~~ the quota. Trappers shall be allowed a ~~48-hour~~ grace period that ends on midnight of the day after the quota is reached to clear their traps of river otters or bobcats. River otters or bobcats found in traps during the grace period may be kept even though the quota is exceeded provided that the trapper has not reached the trapper's personal bag limit. River otters or bobcats trapped after the grace period or in excess of the seasonal bag limit must be turned over to the department; the trapper shall not be penalized.

**ITEM 3.** Amend paragraph 108.7(5)“a” as follows:

- a. Anyone, including a landowner or tenant not required to have a fur harvester license, who takes a river otter or bobcat must report the harvest to a DNR conservation officer or designated DNR employee within 24 hours. The fur harvester must arrange to receive a CITES tag from the officer or designated DNR employee within ~~48 hours~~ 7 days of the time the harvest is reported ~~or before the river otter or bobcat is skinned, whichever occurs first.~~ The river otter or bobcat shall be skinned and the carcass turned over to the DNR conservation officer or designated DNR employee at the time the CITES tag is issued. If the specimen is to be kept whole for taxidermy purposes a cut shall be made by the trapper between the gum line and eye so the CITES can be attached to the skin. It shall be the responsibility of the taxidermist to have the carcass turned over to a DNR conservation officer or designated DNR employee once that animal has been skinned for taxidermy purposes.

**ITEM 4.** Amend subrule 108.9(2) as follows:

**108.9(2)** ~~Trapping near beaver lodges and dens.~~ Hunting methods. No person shall take mink, muskrat, raccoon, badger, opossum, weasel, striped skunk, red fox, gray fox, beaver, coyote, river otter, and bobcat from or by means, aid, or use of any motor vehicle, motor-drive land conveyance, or aircraft of any kind, except that paraplegics and single or double amputees of the legs may take from any stationary motor-driven land conveyance. “Paraplegic” means an individual afflicted with paralysis of the lower half of the body with the involvement of both legs, usually due to disease of or injury to the spinal cord.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Roger L. Lande, Director

(P:108n/mg)

**Motion** – Commissioner Francisco

**Seconded** – Commissioner Underwood

**Discussion** – Commissioner Francisco asked if this meant trappers would not be allowed to run lines along the roadways. Dale Garner, Wildlife Bureau Chief explained that the Law Enforcement Bureau would be meeting with the trappers group to discuss that very issue. It was purposely put into the proposal to avoid individuals shooting from roadways or use a motor vehicle to run one over or using running over for taking of a furbearing animal. Commissioner Rettig expressed concerns she had on increasing quota limits on bobcats. Commissioner Drees agreed that he felt the quota limits were too aggressive.

**Decision** – Approved as presented 4 – Yes and 2 – No (Drees and Rettig)

**APPROVED AS PRESENTED**

## 27. CHAPTER 109, GROUNDHOG SEASON

The Commission is requested to approve this Notice to amend Chapter 109, “Groundhog season”, Iowa Administrative Code.

These rules stipulate the regulations for taking groundhogs. The proposed amendment extends the season from the end of October to the end of November so that groundhogs may be taken during the regular trapping season. The proposed amendments also add language to make it illegal to take groundhogs from a motor vehicle.

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These rules stipulate the regulations for taking groundhogs. The proposed amendment extends the season from the end of October to the end of November so that groundhogs may be taken during the regular trapping season. The proposed amendments also add language to make it illegal to take groundhogs from a motor vehicle.

Any interested person may make written suggestions or comments on the proposed amendments on or before April 27, 2011. Written comments may be directed to the Wildlife Bureau's Web site at [www.iowadnr.com](http://www.iowadnr.com) or may be sent to the Wildlife Bureau Chief, Department of Natural Resources, Wallace State Office Building, Des Moines, Iowa 50319-0034; fax (515)281-6794. Persons who wish to convey their views orally should contact the Wildlife Bureau at (515)281-5034 or at the Wildlife Bureau offices on the fourth floor of the Wallace State Office Building.

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Any persons who intend to attend the public hearing and have special requirements such as those related to hearing or mobility impairments should contact the Department of Natural Resources and request specific accommodations.

These amendments are intended to implement Iowa Code sections 481A.

The following amendments are proposed.

**ITEM 1.** Amend rule 571--109.1(481A) as follows:

**567--109.1** Groundhog. Open season for groundhog (woodchuck) shall be from June 15 through ~~October 31~~ November 30 of each year. Entire state open. No daily bag or possession limit.

**ITEM 2.** Adopt new rule 571--109.2(481A) as follows:

**571--109.2(481A)** Hunting methods. No person shall take groundhogs from or by means, aid, or use of any motor vehicle or motor-driven land conveyance, except that paraplegics and single or double amputees of the legs may take from any stationary motor-driven land conveyance. "Paraplegic" means an individual afflicted with paralysis of the lower half of the body with the involvement of both legs, usually due to disease of or injury to the spinal cord.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Roger L. Lande, Director

(P:109n.doc/mg)

**Motion(1)** – Commissioner Francisco  
**Seconded** – Commissioner Underwood  
**Motion(2)** – Commissioner Francisco motioned to amend to make the season year round  
**Seconded** – Commissioner Schemmel  
**Discussion** – Commissioner Francisco stated that nuisance operator’s biggest business is groundhogs, if out of season it would require these operators to be required to fulfill special procedures to be able to take animal out of season.  
 Jason Sandholdt, Law Enforcement Assistant Bureau Chief asked for clarification if Commissioner Francisco meant a hunting or trapping year round season.  
 Commissioner Francisco stated that he meant trapping  
**Decision** – Approved as Amended – 4-Yes and 2-No (Garst and Rettig)

**APPROVED AS AMENDED**

**28. DONATIONS**

The Natural Resource Commission is requested to approve the following donations:

<b>Donation to:</b>	<b>Amount</b>	<b>Description</b>	<b>Donation Provided by:</b>
Stephens State Forest Campground	\$21.96	Six bags Quikrete cement for use at Stephens State Forest Campground.	Joe Morrett, Scout Troop 149
McIntosh Woods State Park	\$100.00	Rock placement at McIntosh	Dan Fjeld
McIntosh Woods State Park	\$200.00	Maintenance work at McIntosh	Keith DeVries
McIntosh Woods State Park	\$300.00	Maintenance work at McIntosh	Frank and Linda Kastner
McIntosh Woods State Park	\$450.00	Mowing, traffic control, and maintenance at McIntosh	Shauna Steenblock
Aquatic Education Program	\$500.00	Fishing equipment from Shakespeare for use in educational programs.	Roxanne Coleman, Shakespeare
Lake Macbride State Park	\$500.00	Funds for Lake Macbride Park improvements.	Paul and Sabrina Moore
Lake Macbride State Park	\$600.00	Funds for improvements to North Shore Trail at Lake Macbride.	Dick and Sunday Antrim
McIntosh Woods State Park	\$700.00	Trash patrol and constructing fish line recycle tubes at McIntosh Woods State Park.	Deb Paschal, PSC Coordinator, Opportunity Village
McIntosh Woods State Park	\$700.00	Maintenance work at McIntosh.	Dennis Ewers and Lisa
McIntosh Woods State Park	\$1,000.00	Mowing, rock placement in camp area, fishing jetty at McIntosh Woods State Park.	Bobby Wolfram

McIntosh Woods State Park	\$1,000.00	Pumping of fish cleaning station at McIntosh Woods State Park.	Dan Krauth, Clear Lake Fishing Club
Pleasant Creek SRA	\$1,000.00	Equipment assistance and custom mowing of prairie and trails at Pleasant Creek.	Kyle Schminke
Pleasant Creek SRA	\$2,000.00	Labor to clean Pleasant Creek State Recreation Area beach, beach parking lot, and beach restrooms once a day, three days per week.	Les and Mary Van Fossen
Pine Lake State Park	\$3,000.00	Funds to assist with storm recovery at Pine Lake State Park.	Bob and Mary Lou Gunderson
Pleasant Creek SRA	\$3,000.00	Repairs to fish cleaning station to make it operable at Pleasant Creek.	Thad Takes, Cedar Rapids Bassmasters/ Acme Electric
Fish and Game Trust Fund	\$110,356.56	Funds to support wildlife habitat in memory of Grace E. Anderson, an avid bird watcher.	Estate of Grace E. Anderson

**Motion** – Commissioner Garst  
**Seconded** – Commissioner Schemmel  
**Decision** – Approved by Unanimous Vote

**APPROVED AS PRESENTED**

**\*NOTE:** Commissioner Rettig exited the meeting at 3:45pm.

### **GENERAL DISCUSSION**

- Commissioner Underwood
  - None
  
- Commissioner Schemmel
  - Encouraged everyone to rally the troops to contact their Iowa Representatives and Senator to support the Mourning Dove hunting bill.
  
- Commissioner Garst
  - The eradication of Elk in NE IA is an opportunity in the 2012 legislative session to re-introduce a proposal to require double fencing of game farms.
  - April
    - Report on easements monitoring
    - Lead Action Plan update
    - Honey Creek Signage
  - Invite - On Friday March 25<sup>th</sup> at 7pm in the auditorium at the Des Moines Historical building there will be a theatrical performance entitled 'Peace through Corn' showcasing the Friendship of Roswell Garst and Nikita Khrushchev.
  
- Commissioner Francisco
  - None
  
- Commissioner Drees
  - None

<b>INFORMATIONAL ONLY</b>
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### **ITEMS FOR FUTURE MEETINGS:**

- Legislative Update
- Executive Order 71 impact

### **UPCOMING NRC MEETING DATES:**

- 4/13/11 – 10:00am, NRC Public Meeting to be held at Honey Creek State Park Resort, Appanoose County
- 4/14/11 – 8:30am, Commission Information Session to be held at Honey Creek State Park Resort, Appanoose County

**ADJOURNMENT**

*Motion was made by Commissioner Francisco to adjourn the meeting. Seconded by Commissioner Garst. Approved by Unanimous Vote. With no further business to come before the Natural Resource Commission, Chairperson Gregory Drees adjourned the meeting on October 14, 2010 at 4:15 p.m.*

**APPROVED – MEETING ADJOURNED**

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