

MINUTES  
OF THE  
NATURAL RESOURCE COMMISSION  
MEETING

APRIL 11, 2013

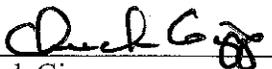
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IOWA DEPARTMENT OF NATURAL RESOURCES  
HENRY WALLACE STATE OFFICE BUILDING  
502 EAST 9<sup>TH</sup> STREET  
DES MOINES, IA 50319

For Office Use Only

Date Minutes Approved By NRC: 5/9/13

Director's Signature: 

Chuck Gipp  
Director

RECORD COPY

File Name: ADM 1-1-1

NRC MINUTES

Sender's initials: VP

TABLE OF CONTENTS (\* indicates consent item)

Call to Order ..... 4

Commissioner Attendance..... 4

Public Participation..... 4

Approval of Agenda..... 4

    CARRIED AS AMENDED ..... 4

2. Approve Minutes of 03/14/13 NRC Public Meeting ..... 4

    CARRIED AS PRESENTED ..... 4

3. Director’s Remarks..... 4

4. Honey Creek Resort State Park Update..... 4

    INFORMATIONAL ..... 5

5. Engineering Construction Project - Rock Creek State Park, ADA Accessible Fishing Pier ..... 5

    CARRIED AS PRESENTED ..... 5

6. Small Construction Projects..... 5

    INFORMATIONAL ..... 7

7. Land Acquisition Projects..... 7

7.1 Blue Wing Marsh WMA – Palo Alto Co. – INHF ..... 7

    CARRIED AS PRESENTED ..... 7

7.2 Big Wall Lake WMA – Wright Co. – INHF ..... 7

    CARRIED AS PRESENTED ..... 8

\*8. Land Management Projects ..... 8

\*8.1 Elinor Bedell State Park – Dickinson Co. – Iowa Lakes Electric Cooperative ..... 8

    CARRIED UNDER CONSENT AGENDA ..... 8

\*8.2 Mississippi River – Clayton Co. – Consolidated Grain and Barge Company ..... 8

    CARRIED UNDER CONSENT AGENDA ..... 8

9. Land Management Project - Pioneer State Park, Mitchell County Conservation Board..... 8

    REMOVED FROM AGENDA..... 8

10. Contract with US eDIRECT for Hosted Registration and Tracking System ..... 8

    CARRIED AS PRESENTED ..... 9

11. Agreement with Pheasants Forever, Inc., for Iowa Youth Coordinator ..... 9

    CARRIED AS PRESENTED ..... 10

12. Iowa DNR 5-Year Rule Review Plan ..... 10

    INFORMATIONAL ..... 10

13. Donations..... 10

    CARRIED AS PRESENTED ..... 12

14. Water Recreation Access Cost-Share (WRAC) Grant FY 2014..... 12

    CARRIED AS PRESENTED ..... 13

15. Chapter 52, Wildlife Refuges - Notice of Intended Action ..... 13

    CARRIED AS PRESENTED ..... 14

16. Chapter 100, Crow and Pigeon Regulations – Notice of Intended Action ..... 14

    CARRIED AS PRESENTED ..... 15

17. Chapter 91, Waterfowl and Coot Hunting Seasons - Notice of Intended Action ..... 15

    CARRIED AS PRESENTED ..... 17

18. 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 - Notice of Intended Action ..... 17

    CARRIED AS PRESENTED ..... 19

19. Chapter 106, Deer Hunting by Residents - Notice of Intended Action ..... 19

    CARRIED AS PRESENTED ..... 21

20. Chapter 40, Boating Speed and Distance Zoning – Notice of Intended Action ..... 21

Notice of Intended Action.....21  
    DENIED AS PRESENTED .....22  
20. Division Administrator Remarks ..... 22  
21. General Discussion ..... 22  
    CARRIED – MEETING ADJOURNED .....23  
Upcoming NRC Meeting Dates..... 23

**MEETING MINUTES**

**CALL TO ORDER**

The meeting of the Natural Resource Commission was called to order by the NRC Chair, Margo Underwood, on 04/11/13 at 9:30am.

**COMMISSIONER ATTENDANCE**

Present

- Conrad Clement
- Gregory Drees
- Richard (Kim) Francisco, Secretary
- Dr. Sally Prickett, Vice-Chair (by phone)
- Janelle Rettig
- Margo Underwood, Chair

Absent

- Dennis Schemmel

**PUBLIC PARTICIPATION**

None

**APPROVAL OF AGENDA**

Commissioner Francisco moved to approve the minutes with the removal of item 9.

- Motion – Commissioner Francisco
- Seconded – Commissioner Clement
- Decision – Approved by Unanimous Vote

CARRIED AS AMENDED

**2. APPROVE MINUTES OF 03/14/13 NRC PUBLIC MEETING**

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

CARRIED AS PRESENTED

**3. DIRECTOR’S REMARKS**

Director Gipp provided an update on legislation and budget, Lake Delhi and a resulting legislative bill regarding dam construction, and an eminent domain bill proposed specifically toward the DNR; however the Department does not use eminent domain to secure property for recreational purposes. This could affect drinking water in southern Iowa. Diane Ford provided information regarding the bill that removes requirements for having to complete a field day for certain individuals. Information was provided to the Commissioners about May’s joint Leadership Team meeting and NRC field tour in Dubuque, as well as the Director’s public meeting on 05/07/03.

**4. HONEY CREEK RESORT STATE PARK UPDATE**

Geoff Baekey, CHM Central Group Companies Vice President, and Andy Woodrick, Honey Creek Resort General Manager, presented information on the general budget, marketing, public relations, and the FY13-FY14 budget.

Discussion – Director Gipp provided information about the defeasance of the Honey Creek Resort bonds. HCR staff provided information regarding budget increases, local food vendors, special events, green

initiatives and messaging, and the activities center.

INFORMATIONAL

**5 ENGINEERING CONSTRUCTION PROJECT - ROCK CREEK STATE PARK, ADA ACCESSIBLE FISHING PIER**

JASPER COUNTY-- PROJECT # 12-05-50-01

**Project Summary:** This project will construct a fishing pier with a rock path and a rock parking area. The local friends group (Rock Creek Alliance) and parks staff saw a need for an ADA accessible fishing pier. The friends group began fund raising efforts for the project and raised a total of \$22,900 to be contributed towards the cost. There was also a one-time legislative appropriation of \$40,000 for the project. The Parks Bureau capital budget is contributing the remainder of the funds to cover the construction cost. The project must be completed by 6/30/14 or the legislative appropriation will revert back. The project is not a replacement or an upgrade but will provide an additional amenity. **Function of the Project:** To allow for public recreation with an ADA accessible fishing pier. No such feature exists on Rock Creek. It will provide the mobility impaired as well as the public with another opportunity to enjoy an excellent fishery. It will add another attractive amenity to an already popular lake. **Construction Needed:** Construction of a pier, path, parking area, and associated site work. **Green Features:** Previous walkway and associated parking lot were incorporated for this project. Site with minimum slope was selected to minimize storm runoff into the lake.

**DNR Project Manager:** Mike Broderick, PE; Engineering Bureau

**Designer:** Mike Broderick, PE; Engineering Bureau

**DNR Inspector:** Jason Kruse, PE; Engineering Bureau

**Operating Bureau:** Parks

**Funding source:** 54% special appropriations, 31% cash donation & 15% health and safety

**Cost Estimate:** \$121,000 **Capital Links #190 & #218**

**Plans Issue Date:** 2/28/13

**Bid Letting Date:** 3/21/13

**Plan Holders:** 11

**Number of Bids Received:** 6

**Bidders**

Herberger Construction Company Inc	Indianola, IA	\$82,080.50
Iowa Bridge & Culvert LC	Washington, IA	\$113,377.00
Con-Struct Inc	Marshalltown, IA	\$123,920.00
Jasper Construction Services Inc	Newton, IA	\$136,367.00
Christensen Construction & Design Co	Estherville, IA	\$139,811.04
Cameron Mitchell Inc.	Des Moines, IA	\$210,000.00

**IDNR recommends awarding the Bid to Herberger Construction Company Inc.**

Motion – Commissioner Drees

Seconded – Commissioner Francisco

Discussion – Diane Ford provided information that the special appropriations being used were allocated to the Department a few years ago.

Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

**6. SMALL CONSTRUCTION PROJECTS**

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

Bid Date	Project No.	Location	County	Summary	Cost Estimate	Bids

2/28/2013	13-04-61-01 Fisheries	Badger Creek	Madison	Repair 485 feet of the existing shoreline riprap on the 6 fishing jetties using 420 Ton of screened Class "E" riprap.	\$18,510	<b>\$14,643.00</b> \$17,808.75 \$19,738.95 \$20,115.00 \$22,440.00 \$23,617.50 \$24,375.00
2/28/2013	12-02-35-01 Parks	Beeds Lake State Park	Franklin	Install prefabricated lift station/grinder pump, 50 LF of 4" gravity sewer and 175 LF of 2" HDPE sewer pipe bored to an existing manhole. The purpose of the project is to connect an existing concession building to the main sewer system and add a new 100 amp electrical panel to the concession building.	\$15,000	<b>\$14,380.00</b> \$14,675.00 \$16,451.50 \$19,000.00
3/7/2013	13-04-83-04 Fisheries	Prairie Rose State Park	Mark Johnson	Remove and dispose of 8,000 CY of sediment from the southeast wetland. Then seed all disturbed areas.	\$50,000	<b>\$19,600.00</b> \$24,410.79 \$36,850.00 \$38,940.00 \$39,200.00 \$39,500.00 \$39,500.00 \$48,092.00 \$49,800.00 \$52,190.00 \$53,000.00 \$54,560.00 \$61,000.00
3/7/2013	14-04-36-01 Wildlife	Bartlett Access Nishnabot na Wildlife	Fremont	Provide 200 Tons of Class 'E' Riprap fill and 20' long, 14' wide section of structural concrete boat ramp.	\$15,000	<b>\$13,200.00</b> \$15,984.00 \$20,000.00 \$20,440.00 \$21,474.00 \$23,490.00
3/11/2013	10-06-52-06 Wildlife	Plum Creek, Hawkeye WMA	Johnson	Flood damage repair including riprap replacement, bank fill/reconstruction, and sheet piling/concrete wall reconstruction on the existing Plum Creek water control structure.	\$50,000	<b>\$42,279.00</b> \$43,060.20

3/14/2013	12-02-77-16 Fisheries	Big Creek State Park	Polk	The purchase and placement of Armorflex (cable connected concrete blocks) and associated work at the East Boat Ramp.	\$20,000	\$20,088.00 \$20,244.00 <i>Withdrew project, conditions not appropriate for construction</i>
3/14/2013	12-02-94-04 Parks	Brushy Creek SRA	Webster	Demolition and removal from site of an existing two car garage, with an alternate to remove the foundation and slab. Also part of this project is the demolition and removal of a damaged concrete, wood roofed, shelter house along an equestrian trail.	\$6,000	\$7,675.00 \$8,250.00 \$10,500.00 \$10,650.00 \$11,000.00 \$14,000.00
3/14/2013	11-02-94-9 Parks	Brushy Creek SRA	Webster	The addition of a two car garage and other miscellaneous work to an existing residence with an alternate to replace the siding on the entire residence.	\$40,000	\$20,000.00 \$45,000.00 <i>Apparent low bid withdrew bid. Award contract to next low bid</i>

INFORMATIONAL

**7. LAND ACQUISITION PROJECTS**

**7.1 BLUE WING MARSH WMA – PALO ALTO CO. – INHF**

The Natural Resource Commission is requested to approve the acquisition of a tract of land located 3 miles northeast of Ruthven, and 1.5 miles east of Lost Island Lake. This 130-acre parcel is offered by the Iowa Natural Heritage Foundation for \$162,500.00. The land was appraised for \$169,000.00, and was acquired by the Foundation for \$154,000.00 in July 2012. The tract has 121.62 acres encumbered by a Wetlands Reserve Program easement. Licensed appraiser, Greg Trittle of Vander Werff and Associates, Sanborn, Iowa submitted the appraisal. The purchase agreement was negotiated by Jerry Gibson. The subject tract contains 121.62 acres of former cropland encumbered by a WRP easement, 6 acres of cropland, and 2.38 acres of road right-of-way/waste (320th Street-north & 370 Avenue-bisects). USDA-NRCS Wetland Easement restoration will begin in 2013 and include 10 acres of wetlands, and 114 acres of prairie seeding. The Wildlife Bureau will manage the land for waterfowl in compliance with the Wetland Reserve Program easement specifications. Acquisition funding will be 56% Prairie Lakes 6 NAWCA (\$90,985.00), and 44% Wildlife Habitat Stamp (\$71,515.00). Incidental closing costs will be the responsibility of the Department. The property will remain on Palo Alto County property tax rolls. Staff recommends approval of the land acquisition.

Motion – Commissioner Drees  
 Seconded – Commissioner Rettig  
 Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

**7.2 BIG WALL LAKE WMA – WRIGHT CO. – INHF**

The Natural Resource Commission is requested to approve the acquisition of a tract of land located 7 miles west of Dows adjacent to the west side of Big Wall Lake. This 105-acre parcel is offered by the Iowa Natural Heritage Foundation for the appraised price of \$131,000.00. INHF purchased the property in August 2012 for \$255,523. The tract has 99 acres encumbered by a Wetlands Reserve Program easement. Licensed appraiser, Brett J. Blanchfield, Blanchfield Appraisal Services, Des Moines, Iowa submitted the appraisal. The purchase agreement was negotiated by Jerry Gibson. The subject tract contains 99.04 acres of cropland encumbered by a WRP easement, 4.5 acres of woodland/waterway, and 1.3 acres of road right-of-way (290th Street). The land will be restored to 20 acres of wetlands, and 85 acres of prairie seeding in compliance with the USDA-NRCS wetland easement. The acquisition will provide additional upland habitat as Big Wall Lake WMA presently has only 16 acres. The Wildlife Bureau will manage the land in compliance with the Wetland Reserve Program easement specifications. Acquisition funding will be through a federal NAWCA grant. Incidental closing costs will be the responsibility of the Department. Staff recommends approval of the acquisition.

Motion – Commissioner Prickett  
Seconded – Commissioner Francisco  
Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

**\*8. LAND MANAGEMENT PROJECTS**

**\*8.1 ELINOR BEDELL STATE PARK – DICKINSON CO. – IOWA LAKES ELECTRIC COOPERATIVE**

The Natural Resource Commission is requested to approve the issuance of a permanent easement for an underground electric power line at Elinor Bedell State Park. Iowa Lakes Electric Cooperative currently has an easement on the property for power lines running across the middle of the park. The existing line needs to be replaced and the easement would allow the new line to run along the edge of the park rather than cutting through the middle. The new easement is beneficial to the Department and public therefore the Commission is asked to approve the easement without monetary consideration.

CARRIED UNDER CONSENT AGENDA

**\*8.2 MISSISSIPPI RIVER – CLAYTON CO. – CONSOLIDATED GRAIN AND BARGE COMPANY**

The Natural Resource Commission’s approval is requested for the renewal of Chapter 18 Lease Number 43-R with Consolidated Grain and Barge Company of Fayette, Iowa. The lease area consists of approximately 420 feet of frontage by 70 feet of depth located within Mississippi River Mile 624.1 to 622.37 in Sections 6 and 7, Township 93 North, Range 2 West of the 5th P.M., Clayton County, Iowa. The site is used for barge loading and unloading. The location has been under lease since 1983. The term of the lease will be for five years. The annual fee is \$3,763.00 with a condition that the fee may be adjusted to comply with adopted administrative rule changes that affect lease fees. Staff recommends approval of the lease agreement.

CARRIED UNDER CONSENT AGENDA

**9. LAND MANAGEMENT PROJECT - PIONEER STATE PARK, MITCHELL COUNTY CONSERVATION BOARD**

The Mitchell County Conservation Board has requested that the Natural Resource Commission consider transferring title to Pioneer State Park (19.6 acres) to Mitchell County. Mitchell County currently manages the property under a management agreement with DNR and has done so since 1974. Conservation Board Director, Adam Shirley, and Board of Supervisors member, Stan Walk, will be in attendance to present their proposal.

REMOVED FROM AGENDA

**10. CONTRACT WITH US EDIRECT FOR HOSTED REGISTRATION AND TRACKING SYSTEM**

Commission approval is requested for a two year-service contract with US eDIRECT of Roslyn Heights, New York. The contract will begin on March 15, 2013 and terminate on March 14, 2015. The total amount of this contract shall not exceed \$49,500. DNR shall have the option to renew this contract long as this contract and any extensions do not exceed a six-year period. This contract will be funded through the U.S. Fish and Wildlife Service Wildlife Restoration Hunter Education Federal Grant Projects W-114-S-45 and W-114-S-46. It is the

responsibility of the DNR to provide recreation education courses pursuant to Iowa Code 483A.27. The DNR currently administers approximately 400 classes for approximately 15,000 students on an annual basis. The contractor shall provide a hosted system for on-line registration, course management, and certifications. The system shall allow for reporting to meet federal reporting requirements regarding the number of courses offered, the number of attendees, and the amount of volunteer time spent preparing for and delivering training. The parties propose to enter into this Contract for the purpose of retaining the Contractor to provide application hosting services and software to provide for the online registration of training courses for outdoor educational classes, workshops, camps and sporting events. Contractor shall also provide data migration and configuration services. US eDIRECT was chosen using the Request for Proposal (RFP) process. US eDIRECT was chosen for this project because they received the highest score during the review and selection process based on technical requirements and pricing.

Proposals Received	City, State	Criteria Ranking	Proposed Cost
US eDIRECT	Roslyn Heights, NY	1	\$49,500.00
Kalkomey Enterprises	Dallas, TX	2	\$60,960.00
Active Network	San Diego, CA	3	\$292,500.00

Motion – Commissioner Francisco  
 Seconded – Commissioner Clement  
 Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

**11. AGREEMENT WITH PHEASANTS FOREVER, INC., FOR IOWA YOUTH COORDINATOR**

Commission approval is requested for a six year-cooperative agreement with Pheasants Forever, Inc., of St. Paul, MN. The agreement will begin on April 15, 2013, and terminate on April 14, 2019. The total amount of this agreement shall not exceed \$180,000. The Department’s portion of this agreement will be funded through the U.S. Fish and Wildlife Service Wildlife Restoration Hunter Education Federal Grant Projects W-114-S-44 through W-114-S-50. The parties propose to enter into this agreement for the purpose of hiring an Iowa Youth Coordinator position. Pheasants Forever will provide the mechanism to administer the position. The Department and Pheasants Forever will work together to develop a strong work plan for the individual hired to meet various goals and objectives for both parties in regards to increasing youth and their families participation in conservation related outdoor activities.

Key responsibilities of the youth coordinator will include:

- Promote and administer Iowa Department of Natural Resource’s programs at the local level that recruit/retain hunters and shooters; and promote wildlife conservation.
- Work with Iowa Pheasants Forever (PF) Chapters to promote, develop and support programs under the NO CHILD LEFT INDOORS® initiative (FOREVER Shooting Sports, Youth Mentor Hunts, Youth Habitat Projects) that provide families multiple opportunities throughout the year to share outdoor experiences.
- Build and strengthen partnerships with organizations that support and provide opportunities for youth and families to engage in hunting and shooting sports.
- Develop and facilitate partnerships at the state and local level that will maximize attendance and leverage resources at youth events.
- Track program results to determine program’s effectiveness in recruiting and retaining youth in outdoor activities.
- Work closely with Iowa State Coordinator and Iowa Representatives to build a team approach to program delivery and consistent message.

As society becomes more urbanized and less rural, there is a greater “disconnect” from the land and impacts our activities have on the natural resources that support and enhance our quality of life. We are at risk of losing an entire generation of youth that appreciate and place value on wild places, the critters that live there, and our outdoor traditions. The *No Child left Indoors*® initiative is dedicated to working with members, chapters, and conservation partners to provide opportunities for youth and their families to share our outdoor traditions and develop a conservation ethic. The creation and funding of an Iowa Youth Coordinator position will provide a nucleus that will

unify Iowa DNR, Pheasants Forever and Quails Forever Chapters, and other partnering organizations, around the intent of that initiative.

Year	Contract Totals by Year	Pheasants Forever Contribution	Iowa DNR Contribution
1	Not to exceed \$ 56,050.00	Not to exceed \$30,000.00	Not to exceed \$26,050.00
2	Not to exceed \$ 59,325.00	Not to exceed \$31,000.00	Not to exceed \$28,325.00
3	Not to exceed \$ 61,590.00	Not to exceed \$32,000.00	Not to exceed \$29,590.00
4	Not to exceed \$ 63,740.00	Not to exceed \$33,000.00	Not to exceed \$30,740.00
5	Not to exceed \$ 65,894.50	Not to exceed \$34,000.00	Not to exceed \$31,894.50
6	Not to exceed \$ 68,400.50	Not to exceed \$35,000.00	Not to exceed \$33,400.50
			<b>Iowa DNR contract total not to exceed \$180,000.00</b>

Motion – Commissioner Rettig  
 Seconded – Commissioner Drees  
 Discussion – Megan Wisecup provided information that this position will be similar to the successful one between the DNR and ISU 4H. For this contract, Pheasants Forever will be on the hiring team, help create a joint work plan, and handle the administration and benefits. Chuck Corell will be this position’s supervisor.  
 Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

**12. IOWA DNR 5-YEAR RULE REVIEW PLAN**

The Agenda Item is being presented for the purposes of providing information to the Commission and also to create an opportunity for members of the public to comment, during the Commission’s normal public comment period, if there are any questions or suggestions in regard to the DNR’s 5-year plan for rule review. During the 2012 session of the Iowa legislature, Iowa Code section 17A.7(2) was amended to require that all Iowa state agencies conduct ongoing and comprehensive five-year reviews of all of their administrative rules. The new statute reads: **17A.7(2)** Beginning July 1, 2012, over each five-year period of time, an agency shall conduct an ongoing and comprehensive review of all of the agency’s rules. The goal of the review is the identification and elimination of all rules of the agency that are outdated, redundant, or inconsistent or incompatible with statute or its own rules or those of other agencies. An agency shall commence its review by developing a plan of review in consultation with major stakeholders and constituent groups. When the agency completes its five-year review of its rules, the agency shall provide a summary of the results to the administrative rules coordinator and the administrative rules review committee. Pursuant to this new law, the DNR is conducting an ongoing review of all administrative code divisions which fall under the jurisdiction of the DNR. In many instances, this review process has been underway for many years. The DNR is continually updating and revising its rules and will continue to do so. This process simply provides for a more structured and comprehensive approach which is designed to address specific concerns about the overall regulatory burden of state government in Iowa.

INFORMATIONAL

**13. DONATIONS**

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

Donation to:	Amount	Description	Donation Provided by:
Lake Macbride State Park	\$25.00	Funds to support improvements at Lake Macbride State Park	Dogan Dincer

Fish and Wildlife Trust Fund	\$100.00	Funds to support the Fish and Wildlife Trust Fund	Robyn Adkisson
Red Haw State Park	\$129.65	Funds to purchase and install one ground grill at Red Haw campground	Ben Morrett, Boy Scout Troop 149
Brushy Creek State Recreation Area	\$399.99	Funds to purchase projector for showing movies in the campground	Steve and Kathy Haakenson
Clear Lake	\$400.00	Funds to support winter aeration on Clear Lake	Chris McCabe, Heartland Chapter, Muskies, Inc.
Yellow River State Forest-Little Paint Campground-ADA Fishing Access	\$500.00	One refuse container, perforated powder coated steel with plastic dome lid from Pilot Rock	Wendy Gerber
Stephens and Shimek State Forests	\$1,000.00	Funds to be used for equestrian trail improvements at Stephens and Shimek State Forests	Dora Guffey, Iowa Horse Council
Fish and Wildlife Trust Fund	\$1,000.00	Funds toward the electric fish barrier at the Iowa Great Lakes	Phil Peterson, Dickinson Co. Tax Payers Association
Summit Lake	\$5,000.00	Funds to augment the cost to construct a fishing jetty	Tom Lesan, High Lakes Outdoor Alliance
Fish and Wildlife Trust Fund	\$10,000.00	Funds toward the electric fish barrier at the Iowa Great Lakes	Michael Mitchell, Mayor, City of Arnolds Park
Fish and Wildlife Trust Fund	\$10,000.00	Funds toward the electric fish barrier at the Iowa Great Lakes	Blain Andera, Mayor, City of Spirit Lake
Fish and Wildlife Trust Fund	\$10,000.00	Funds toward the electric fish barrier at the Iowa Great Lakes	Don Lamb, Mayor, City of Milford
Fish and Wildlife Trust Fund	\$10,000.00	Funds toward the electric fish barrier at the Iowa Great Lakes	Larry Traugher, Mayor, City of West Okoboji
Fish and Wildlife Trust Fund	\$10,000.00	Funds toward the electric fish barrier at the Iowa Great Lakes	Bill Maas, Mayor, City of Orleans
Fish and Wildlife Trust Fund	\$10,000.00	Funds toward the electric fish barrier at the Iowa Great Lakes	Mary VanderWoude, Mayor, City of Okoboji
Fish and Wildlife Trust Fund	\$10,250.00	Funds toward the electric fish barrier at the Iowa Great Lakes	Gary Owen, President, Iowa Great Lakes Water Safety Council
Fish and Wildlife Trust Fund	\$10,360.00	Funds toward the electric fish barrier at the Iowa Great Lakes	Bill Mass, President, East Okoboji Lake Improvement Corp.
Fish and Wildlife Trust Fund	\$17,992.00	Funds toward the electric fish barrier at the Iowa Great Lakes	Rob Oldson, President, Spirit Lake Protective Association
Fish and Wildlife Trust Fund	\$35,000.00	Funds toward the electric fish barrier at the Iowa Great Lakes	Stacy Rosemore, Director, Okoboji Tourism Committee
Fish and Wildlife Trust Fund	\$40,000.00	Funds toward the electric fish barrier at the Iowa Great Lakes	Mary Freiborg, President, Okoboji Foundation
Fish and Wildlife Trust Fund	\$50,000.00	Funds toward the electric fish barrier at the Iowa Great Lakes	Steve Rasmussen, AWC Family Foundation

Fish and Wildlife Trust Fund	\$50,000.00	Funds toward the electric fish barrier at the Iowa Great Lakes	David Gottsche, Chairman, Board of Supervisors, Dickinson Co.
Fish and Wildlife Trust Fund	\$201,385.00	Funds toward the electric fish barrier at the Iowa Great Lakes	James E. Rosendahl, President, Okoboji Protective Association
Fish and Wildlife Trust Fund	\$261,000.00	Funds toward the electric fish barrier at the Iowa Great Lakes	Minnesota DNR and Lessard-Sams Outdoor Heritage Council

Motion – Commissioner Drees  
 Seconded – Commissioner Clement  
 Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

**14. WATER RECREATION ACCESS COST-SHARE (WRAC) GRANT FY 2014**

The Commission is requested to approve funding for the recommended Water Recreation Access Cost-Share (WRAC) Grant applications for FY14, funded through the Marine Fuel Tax Program (50%) and Federal Coast Guard (50%). Grant applications have been scored by a review committee who met on April 1, 2013, to review a total of nine (9) projects requesting \$417,134.00 in Marine Fuel Tax/US Coast Guard funds according to rules provided for in Iowa Administrative Code chapter 571 - 30. The committee recommends funding the first 7 projects for a total of \$185,694.

Applicant	Description	Total Project Cost	Marine Fuel/US Coast Guard Grant Request	Recommended Grant Awards
City of Clear Lake	Maine Avenue Boat Ramp	\$12,240.00	\$9,180.00	\$9,180.00
Woodbury County Conservation Board	Little Sioux River Boat Ramp	\$69,741.00	\$52,000.00	\$52,000.00
Muscatine County Conservation Board	WG Block Land Donation, Boat Ramp, Sidewalk, Dock and Parking Lot	\$55,722.00	\$41,792.00	\$41,792.00
Lee County Conservation Board	Chatfield Park Boat Ramp	\$11,235.00	\$8,427.00	\$8,427.00
City of Burlington	Mississippi River Boat Docks	\$100,000.00	\$42,000.00	\$42,000.00
Harrison County Conservation Board	Willow Lake Rec. Area Boat Ramp	\$21,060.00	\$15,795.00	\$15,795.00
City of Afton	Afton City Lake Jetty and Shoreline Deepening	\$22,000.00	\$16,500.00	\$16,500.00 (Only eligible portions of project that meet USCG Rules)
Marshall County Conservation Board	Green Castle Rec. Area Development	\$24,595.00	\$18,447.00	-0-
Dickinson County Conservation Board	Orleans Beach Restroom	\$130,993.00	\$130,993.00	-0-
<b>Total</b>		<b>\$447,586.00</b>	<b>\$417,134.00</b>	<b>\$185,694</b>

Motion – Commissioner Rettig  
 Seconded – Commissioner Drees

Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

**15. CHAPTER 52, WILDLIFE REFUGES - NOTICE OF INTENDED ACTION**

The Commission is requested to approve the Notice of Intended Action – Chapter 52, “Wildlife Refuges.” The Department has completed the initial steps in Executive Order 71 prior to submitting the Notice of Intended Action. Chapter 52 gives 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. The proposed rule:

- Removes two areas that are no longer needed as “waterfowl refuges” because there are enough resting areas without them. The areas being delisted are “Three Mile Lake” in Union County and “Lake Sugema” in Van Buren County. As a result, these two areas open for recreation will now include public hunting.
- Adds a new waterfowl refuge in Cerro Gordo County known as “Union Hills.” A small portion of the area, approximately 10% of 2100 acres, is being changed from a wildlife management area to a waterfowl refuge. This new refuge is needed to encourage migrating waterfowl to rest in this area.

**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.

Chapter 52 contains the regulations for establishing wildlife refuges for the purpose of preserving biological balance and to effect sound wildlife management; hunting is not permitted in refuges so as to create a *de facto* “safe zone” for the wildlife. The proposed rule removes two areas that are no longer needed as “waterfowl refuges” because there are enough others in the general area without them (the high number in the area prevented any one from being as effective as planned). The areas being delisted are “Three Mile Lake” in Union County and “Lake Sugema” in Van Buren County. Importantly, the two areas being removed shall remain public lands open for recreation, to now include hunting.

In addition, the proposed rule adds a new waterfowl refuge in Cerro Gordo County known as “Union Hills.” This new refuge is needed to encourage the growth of waterfowl in this area of the State of Iowa. This area is already state land currently under Department management. It is being redesignated from a wildlife management area to a waterfowl refuge.

Any interested person may make written suggestions or comments on the proposed amendment on or before May 23, 2013. Written comments may be directed to Bureau Chief, Wildlife Bureau at the Wallace State Office Building, 502 E. 9th Street, Des Moines, Iowa 50319-0034; by email at [wildlife@dnr.iowa.gov](mailto:wildlife@dnr.iowa.gov); or by fax at (515)281-6794. Persons who wish to convey their comments orally may contact the wildlife bureau by phone at (515) 281-5034 or by visiting the 4th floor of the Wallace State Office Building during regular business hours.

There will be a public hearing on May 23, 2013, at 1 p.m. in the conference room on the fourth floor of the Wallace State Office Building. 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.

The changes will have a positive effect on jobs by increasing opportunities for waterfowl hunting and viewing in Union, Cerro Gordo, and Van Buren Counties. Since waterfowl hunters frequently travel the entire state to enjoy different locations and zone-specific dates, the waterfowl hunting opportunities created in these specific counties will be enjoyed by hunters state-wide. Waterfowl hunting benefits local economies, and associated jobs, through equipment retailers, guide services, transportation services, and restaurants.

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(3) as follows:

**52.1(3) Waterfowl refuges.** 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
<u>Union Hills.....</u>	<u>Cerro Gordo</u>
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

Motion – Commissioner Francisco  
 Seconded – Commissioner Clement  
 Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

**16. CHAPTER 100, CROW AND PIGEON REGULATIONS – NOTICE OF INTENDED ACTION**

The Commission is requested to approve the Notice of Intended Action – Chapter 100, “Crow and pigeon regulations.” The Department has completed the initial steps in Executive Order 71 prior to submitting the Notice of Intended Action. Chapter 100 gives the regulations for taking crows and pigeons. Chapter 100 contains the hunting regulations for crows and pigeons. The proposed rule allows pigeons to be taken year round. The population can withstand the continuous open season. The pigeon season shall be a continuous open season with no bag or possession limit and all areas open.

**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 100, "Crow and pigeon regulations", Iowa Administrative Code.

Chapter 100 contains the hunting regulations for crows and pigeons. The proposed rule allows pigeons to be taken year round as studies show the population can withstand the continuous open season. The pigeon season shall be a continuous open season with no bag or possession limit and all areas open.

Any interested person may make written suggestions or comments on the proposed amendment on or before May 23, 2013. Written comments may be directed to Bureau Chief, Wildlife Bureau at the Wallace State Office Building, 502 E. 9th Street, Des Moines, Iowa 50319-0034; by email at [wildlife@dnr.iowa.gov](mailto:wildlife@dnr.iowa.gov); or by fax at (515)281-6794. Persons who wish to convey their comments orally may contact the wildlife bureau by phone at (515) 281-5034 or by visiting the 4th floor of the Wallace State Office Building during regular business hours.

There will be a public hearing on May 23, 2013, at 1 p.m. in the conference room on the fourth floor of the Wallace State Office Building. 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.

After review and analysis of this proposed rulemaking, no impact on private sector jobs has been found.

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

The following amendments are proposed.

**ITEM 1.** Amend subrule 100.2(1) as follows:

100.2(1) Pigeon season. There is a continuous open season for the taking of pigeons ~~except the season for taking pigeons with firearms shall be October 1 to March 31. However, within 100 yards of buildings and bridges pigeons may be taken with firearms the year around.~~ No bag or possession limit. Entire state open.

Motion – Commissioner Prickett  
Seconded – Commissioner Francisco  
Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

**17. CHAPTER 91, WATERFOWL AND COOT HUNTING SEASONS - NOTICE OF INTENDED ACTION**

The Commission is requested to approve the Notice of Intended Action – Chapter 91, "Waterfowl and Coot Hunting Seasons." The Department has completed the initial steps in Executive Order 71 prior to submitting the Notice of Intended Action. Chapter 91 sets the regulations for hunting waterfowl and coot and include season dates, bag limits, possession limits, shooting hours, and areas open to hunting. The proposed rule adjusts the season dates to comply with United States Fish and Wildlife Service regulations and to ensure the seasons are open on weekends. The proposed rule also removes the bag limit on light geese (i.e. white and blue phase lesser snow geese and Ross' geese) during the conservation order season as studies indicate the population can withstand it, and doing so increases hunter opportunity.

**NATURAL RESOURCE COMMISSION [571]**

Notice of Intended Action

Pursuant to the authority of Iowa Code sections 455A.5(6), sections 481A.38, 481A.39, and 481A.48, the Natural Resource Commission hereby gives Notice of Intended Action to amend Chapter 91, "Waterfowl and Coot Hunting Seasons," Iowa Administrative Code.

This chapter contains the regulations for hunting waterfowl and coot, and includes season dates, bag limits, possession limits, shooting hours, and areas open to hunting. The proposed rule adjusts the season dates to comply with United States Fish and Wildlife Service regulations and to ensure the seasons open on weekends. The proposed rule also removes the bag limit on light geese during the conservation order season as studies indicate the population can withstand it, and doing so increases hunter opportunity. Light geese include white and blue phase lesser snow geese and Ross' geese.

Any interested person may make written suggestions or comments on the proposed amendments on or before May 23, 2013. Written comments may be directed to Wildlife Bureau Chief, Wallace State Office Building, 502 E. 9th Street, Des Moines, Iowa 50319-0034; by E-mail at [wildlife@dnr.iowa.gov](mailto:wildlife@dnr.iowa.gov); or by fax at (515)281-6794. Persons who wish to convey their comments orally may contact the Wildlife Bureau by telephone at (515)281-5034 or by visiting the fourth floor of the Wallace State Office Building during regular business hours.

There will be a public hearing on May 23, 2013, at 1 p.m. in the conference room on the fourth floor of the Wallace State Office Building. 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.

After analysis and review of this rule making, no impact on jobs has been found since most changes are due to shifts in the calendar dates. The change in the bag limit for light geese during the conservation order will not affect license sales or hunter effort.

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(2) to 91.1(4) as follows:

**91.1(2)** Season dates - north zone. For all ducks: September ~~22~~ 21 through September ~~26~~ 25 and October ~~13~~ 12 through December ~~6~~ 5.

**91.1(3)** Season dates - south zone. For all ducks: September ~~22~~ 21 through September ~~26~~ 25 and October ~~20~~ 19 through December ~~13~~ 12.

**91.1(4)** Season dates - Missouri River zone. For all ducks: September ~~22~~ 21 through September ~~26~~ 25 and October ~~27~~ 26 through December ~~20~~ 19.

**ITEM 2.** Amend subrules 91.3(2) to 91.3(4) as follows:

**91.3(2)** Season dates - north zone. Canada geese and brant: September ~~29~~ 28 through January ~~4, 2013~~ 3, 2014. White-fronted geese: September ~~29~~ 28 through December ~~11~~ 10. Light geese (white and blue-phase snow geese and Ross' geese): September ~~29~~ 28 through January ~~13, 2013~~ 12, 2014.

**91.3(3)** Season dates - south zone. Canada geese and brant: October ~~6~~ 5 through January ~~11, 2013~~ 10, 2014. White-fronted geese: October ~~6~~ 5 through December ~~18~~ 17. Light geese (white and blue-phase snow geese and Ross' geese): October ~~6~~ 5 through January ~~18, 2013~~ 17, 2014.

**91.3(4)** Season dates - Missouri River zone. Canada geese and brant: October ~~13~~ 12 through January ~~18, 2013~~ 17, 2014. White-fronted geese: October ~~13~~ 12 through December ~~25~~ 24. Light geese (white and blue-phase snow geese and Ross' geese): October ~~13~~ 12 through January ~~18, 2013~~ 17, 2014.

**ITEM 3.** Amend subrules 91.3(8) and 91.3(10) to 91.3(12) as follows:

**91.3(8)** 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 ~~19, 2013~~ 18, 2014, through April 15, ~~2013~~ 2014.

a. Zone boundaries. Statewide.

b. Shooting hours. One-half hour before sunrise to one-half hour after sunset.

c. Bag limit. ~~Bag limit is 20 light geese.~~ No bag limit.

d. Possession limit. No possession limit.

e. Other regulations. Methods of take approved by the U.S. Fish and Wildlife Service for hunting light geese during the conservation order season shall be permitted.

**91.3(10)** Cedar Rapids/Iowa City goose hunting zone.

a. Season dates. September ~~1~~ 7 through September ~~9~~ 15.

b. to d. No change.

**91.3(11)** Des Moines goose hunting zone.

a. Season dates. September ~~1~~ 7 through September ~~9~~ 15.

b. to d. No change.

**91.3(12)** Cedar Falls/Waterloo goose hunting zone.

a. Season dates. September ~~1~~ 7 through September ~~9~~ 15.

b. to d. No change.

**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 ~~6 and 7, 2012~~ 5 and 6, in the north duck hunting zone and October ~~13 and 14, 2012~~ 12 and 13, in the south duck hunting zone and October ~~20 and 21, 2012~~ 19 and 20, in the Missouri River 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.

Motion – Commissioner Francisco  
Seconded – Commissioner Drees  
Discussion – Commissioner Francisco shared information that, after the Waterfowl Working Group meeting, a person from the meeting had talked to him about a change he would like.  
Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

**18. 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 - NOTICE OF INTENDED ACTION**

The Commission is requested to approve the Notice of Intended Action – 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 Department has completed the initial steps in Executive Order 71 prior to submitting the Notice of Intended Action. Chapter 108 sets the season dates, bag limits, possession limits and areas open to hunting or trapping furbearers.

The proposed rule:

- Adds six counties to the open area for bobcats.
- Removes the statewide quotas for bobcats and river otters. This allows the season to run concurrently with the other furbearer seasons and allows fur takers more flexibility in the harvest of an animal.
- Removes the 24-hour reporting requirement for bobcat and river otters. Fur harvesters are still required to get a CITES tag by contacting a conservation officer or wildlife biologist within 7 days of harvesting the animal.
- Reduces the bag limit for river otters from 3 to 2 to prevent too many river otters being taken in any one area.

Populations of bobcats and river otters are at a level that will sustain this additional level of harvest and allow Iowa’s hunters and trappers additional opportunities without negatively impacting these populations.

**NATURAL RESOURCE COMMISSION[571]**

Notice of Intended Action

Pursuant to the authority of Iowa Code sections 481A.6, 481A.38, 481A.39, 481A.87, 481A.90, and 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 amendment adds six counties to the open area for bobcats, and removes the statewide quotas for bobcats and river otters. This allows the season to run concurrently with the other furbearer seasons. Since there is no longer a quota, the 24-hour reporting requirement is no longer needed. However, federal regulations require that a CITES tag must still be obtained for each bobcat and river otter. The number of river otters a fur harvester may take during the season was reduced from 3 to 2 to prevent too many river otters being

taken in any one area. Populations of these furbearers are at a level that will sustain this additional level of harvest and allow Iowa's hunters and trappers additional opportunities without negatively impacting these populations.

Any interested person may make written suggestions or comments on the proposed amendment on or before May 23, 2013. Written comments may be directed to the Iowa Department of Natural Resources, Wildlife Bureau Chief, Wallace State Office Building, 502 E. 9th Street, Des Moines, Iowa 50319-0034; by E-mail at [wildlife@dnr.iowa.gov](mailto:wildlife@dnr.iowa.gov); or by fax at (515)281-6794. Persons who wish to convey their comments orally may contact the Wildlife Bureau at (515)281-5034 or by visiting the fourth floor of the Wallace State Office Building during regular business hours.

There will be a public hearing on May 23, 2013, at 1 p.m. in the conference room on the fourth floor of the Wallace State Office Building. 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 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.

The proposed rule is expected to have a positive impact on jobs by increasing overall trapping activity. By eliminating statewide quotas, trappers will be able to actually take bobcats and river otters each season. In the past, the quotas filled up quickly, and many trappers who had purchased licenses were not actually able to take a bobcat or river otter because the statewide quota was filled, even if their personal season limit was not yet met. Eliminating these quotas is consistent with sound wildlife management principles and allows fur harvesters more flexibility in when they take these animals. For example, trappers can now take furbearers later in the season when their pelts are more valuable. In addition, six additional counties have been added for the trapping of bobcats. This will increase trapping activities in these counties. Although the per-person river otter quota has been reduced from 3 to 2, the elimination of statewide quotas means that more otters statewide will be taken, to the benefit of trappers generally. This is because trappers will have more time to take two (versus less time to unsuccessfully try for 3); moreover, being able to take later in the season makes the pelts more valuable.

This likely means increased business for the private sector in the following areas: hunting and trapping gear and other related equipment, and taxidermy work. It could also lead to increased business for restaurants, hotels, and gas stations as people move around the state participating in the sport.

This amendment is 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 subrule 108.7(2) as follows:

**108.7(2) *Open area.*** River otters may be taken statewide. Bobcats may be taken in the following counties: Adair, Adams, Appanoose, Audubon, Cass, Clarke, Crawford, Dallas, Davis, Decatur, Des Moines, Fremont, Guthrie, Harrison, Henry, Iowa, Jefferson, Keokuk, Lee, Louisa, Lucas, Madison, Mahaska, Marion, Mills, Monona, Monroe, Montgomery, Muscatine, Page, Pottawattamie, Poweshiek, Ringgold, Taylor, Union, Van Buren, Wapello, Warren, Washington, Wayne, and Woodbury.

Item 2. Amend subrule 108.7(3) as follows:

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

~~a. *Seasonal bag limit.*~~ The seasonal bag limit is 3 2 river otters and 1 bobcat per person.

~~b. *Quotas.*~~ The quota for the number of river otters that may be taken is 850 statewide. The quota for the number of bobcats that may be taken is 450 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 the quota. The season shall end for bobcats when the number of bobcats taken, as determined by the harvest reporting system, reaches the quota. Trappers shall be allowed a 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 subrule 108.7(4) as follows:

**108.7(4) *Season Dates.*** The season for taking river otters and bobcats opens on the first Saturday in November and closes when the quota has been reached, as explained in this rule, or on January 31 of the

following year, ~~whichever occurs first.~~

Item 4. Amend subrule 108.7(5) as follows:

**108.7(5) Reporting requirements.** 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~~ and arrange to receive a CITES tag from the officer or designated DNR employee within seven days of ~~the time the harvest is reported.~~ The river otter or bobcat shall be skinned and the ~~carcass~~ lower jaw or skull 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 tag 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.~~

b. ~~Upon receiving a telephone report that a river otter or bobcat has been legally taken, the conservation officer or DNR employee will call the department's harvest reporting system. The number of river otters and bobcats taken will be updated daily, and a message will be recorded on the department's telephone system. The number taken will be available 24 hours a day. Fur harvesters may check the message daily to determine when the season closes and when the grace period begins and ends. The department will use all practical means to publicize these dates.~~

Motion – Commissioner Francisco  
Seconded – Commissioner Clement  
Discussion – Willie Suchy and Dale Garner provided information on the bag limits, historic quotas, anticipated harvest quotas, and modeling. Commissioner Rettig stated she appreciated the science but thinks the rule is too aggressive and liberal.  
Decision – Approved (1 nay-Commissioner Rettig)

CARRIED AS PRESENTED

**19. CHAPTER 106, DEER HUNTING BY RESIDENTS - NOTICE OF INTENDED ACTION**

The Commission is requested to approve the Notice of Intended Action – Chapter 106, “Deer Hunting by Residents.” The Department has completed the initial steps in Executive Order 71 prior to submitting the Notice of Intended Action. Chapter 106 sets regulations for deer hunting by residents 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 rule reduces antlerless deer quota numbers in 6 counties in the Nishnabotna Wildlife Unit. This quota reduction is designed to stabilize deer numbers in those counties, whose deer population has been reduced to levels that were agreed to in 2009 by the deer study advisory group (DSAG). The DSAG was created to review, analyze, and make recommendations on issues relating to the state's deer population.

**NATURAL RESOURCE COMMISSION[571]**

**Notice of Intended Action**

Pursuant to the authority of Iowa Code sections 455A.5(6), 481A.38, 481A.39, 481A.48(1), 483A.8, 483A.8B, 483A.8C, 483A.24, and 483A.24B, the Natural Resource Commission hereby gives Notice of Intended Action to amend Chapter 106, “Deer Hunting by Residents,” Iowa Administrative Code.

Chapter 106 sets regulations for deer hunting by residents 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 rule reduces antlerless deer quota numbers in 6 counties in the Nishnabotna Wildlife Unit. This quota reduction is designed to stabilize deer numbers in those counties, whose deer population has been reduced to levels that were agreed to in 2009 by the deer study advisory group (DSAG). The DSAG was created to review, analyze, and make recommendations on issues relating to the state's deer population.

Any interested person may make written suggestions or comments on the proposed amendments on or before May 23, 2013. Written comments may be directed to the Department of Natural Resources’ Wildlife Bureau Chief, Wallace State Office Building, 502 E. 9th Street, Des Moines, Iowa 50319-0034; by E-mail at [wildlife@dnr.iowa.gov](mailto:wildlife@dnr.iowa.gov); or by fax at (515)281-6794. Persons who wish to convey their comments orally may

contact the Wildlife Bureau at (515)281-5034 or by visiting the fourth floor of the Wallace State Office Building during regular business hours.

There will be a public hearing on May 23, 2013, at 1 p.m. in the auditorium on the second floor of the Wallace State Office Building. 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 proposed rule.

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.

The proposed rule will have a neutral impact on jobs in the state. Even though the Commission is proposing a license reduction, there should not be a noticeable change in deer hunting. The proposed new quotas are designed to keep deer numbers stable and result in similar license sales overall. Thus, the private sector job impact should remain status quo even with this rule making. The following types of jobs are positively impacted by deer hunting generally (and should see no noticeable change due to this rule making): hunting equipment retailers (weapons, ammunition, clothing, chairs, stands, binoculars, and other supporting equipment); field guides and outfitters; taxidermists; plus restaurants, hotels, and gas stations for hunters traveling around the state.

The proposed rule is intended to implement Iowa Code sections 481A.38, 481A.39, 481A.48(1), 483A.8, 483A.8B, 483A.8C, 483A.24 and 483A.24B.

The following amendments are proposed.

**ITEM 1.** 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	3000
Allamakee	4500	Fremont	<del>1500</del> 600	Montgomery	<del>1300</del> 1050
Appanoose	3300	Greene	150	Muscatine	1175
Audubon	100	Grundy	0	O'Brien	0
Benton	650	Guthrie	3300	Osceola	0
Black Hawk	0	Hamilton	100	Page	<del>1800</del> 950
Boone	650	Hancock	0	Palo Alto	0
Bremer	1000	Hardin	200	Plymouth	100
Buchanan	250	Harrison	2500	Pocahontas	0
Buena Vista	0	Henry	1025	Polk	1500
Butler	0	Howard	350	Pottawattamie	<del>2100</del> 1300
Calhoun	0	Humboldt	0	Poweshiek	500
Carroll	100	Ida	0	Ringgold	2600
Cass	<del>1300</del> 550	Iowa	775	Sac	0
Cedar	1025	Jackson	1250	Scott	500
Cerro Gordo	0	Jasper	1700	Shelby	400
Cherokee	0	Jefferson	2150	Sioux	0
Chickasaw	450	Johnson	1400	Story	500
Clarke	2500	Jones	975	Tama	500
Clay	0	Keokuk	1900	Taylor	2650
Clayton	3200	Kossuth	0	Union	2100
Clinton	825	Lee	1400	Van Buren	5400
Crawford	300	Linn	1300	Wapello	2150
Dallas	2700	Louisa	850	Warren	4200
Davis	3600	Lucas	2800	Washington	2250
Decatur	2800	Lyon	0	Wayne	3000

County	Quota	County	Quota	County	Quota
Delaware	975	Madison	4000	Webster	100
Des Moines	900	Mahaska	1350	Winnebago	0
Dickinson	0	Marion	2250	Winneshiek	3500
Dubuque	1375	Marshall	500	Woodbury	2500
Emmet	0	Mills	1350 950	Worth	0
Fayette	1650	Mitchell	0	Wright	0

Motion – Commissioner Drees  
 Seconded – Commissioner Francisco  
 Discussion – Willie Suchy provided information on the process of decision making, the review of trends and history, and data review for future considerations.  
 Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

**20. CHAPTER 40, BOATING SPEED AND DISTANCE ZONING – NOTICE OF INTENDED ACTION**

The Department requests Commission approval of this Notice of Intended Action to amend Chapter 40, Boating Speed and Distance Zoning. The Department has completed the initial steps in Executive Order 71 prior to submitting the Notice of Intended Action. This proposed change is being requested by petition from the City of Clayton in Clayton County. The City is requesting to impose a no wake zone (5 mile per hour) located on the Mississippi River, adjacent to the City of Clayton. The proposed zone will be located between Mississippi River Day Markers numbered 625.2R to the north, and 624.4R to the south. This request is being made for the purpose of preventing dock damage to public access docks, private restaurant docks, gas station docks, and other transient docks. The concern is also for visitors incurring personal injuries while accessing public dock areas due to the current wake. The Department has reviewed the petition and agrees the Notice of Intended Action is warranted.

**NATURAL RESOURCE COMMISSION[571]**

**Notice of Intended Action**

Pursuant to the authority of Iowa Code sections 462A.32(2) and 455A.5(6)(a), the Natural Resource Commission hereby gives Notice of Intended Action to amend Chapter 40, “Boating Speed and Distance Zoning,” Iowa Administrative Code.

This proposed rule shall add a “no wake” zone (speed no greater than 5 miles per hour) on the Mississippi River before the City of Clayton between Mississippi River Day Markers 625.4R to the north and 624.2R to the south. This reduction in speed along the city’s waterfront will prevent high wave damage to public access docks, private business and personal docks, reduce erosion of the city’s river banks, and avoid personal injuries of citizens and tourists enjoying the waterside area.

Any interested person may make written suggestions or comments on the proposed rule on or before xxxxx, 2013. Such written materials should be directed to Susan Stocker, Department of Natural Resources, Wallace State Office Building, 502 E. 9th Street, Des Moines, Iowa 50319-0034; fax (515)281-0122; or E-mail [Susan.Stocker@dnr.iowa.gov](mailto:Susan.Stocker@dnr.iowa.gov). Persons who wish to convey their views orally should contact the Law Enforcement Bureau at (515) 281-5034 or visit the Bureau offices on the fourth floor of the Wallace State Office Building.

Also, there will be a public hearing on xxxxx, 2013, at 1 p.m. in the 4<sup>th</sup> Floor (West) Conference room in the Wallace State Office Building. 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 proposed rule. Any persons who intend to attend the public hearing and have special needs, such as those related to hearing or mobility impairments, should contact the Department of Natural Resources and advise of specific needs.

After analysis and review of this rulemaking, no impact on jobs has been found.

This proposed rule is intended to implement Iowa Code section 462A.32(2).

The following rule is proposed.

**ITEM 1.** Adopt the following new rule 571—40.60(462A):

**571—40.60(462A) Zoning of the Mississippi River, Clayton, Clayton County.** All vessels shall be operated at a speed no greater than five miles per hour within the area designated by marker buoys or other approved uniform waterway markers between Mississippi River Day Markers 625.4R to the north and 624.2R to the south. Markers shall be set and maintained by the City of Clayton.

Motion – Commissioner Francisco

Seconded – Commissioner Drees

Discussion – Commissioners expressed concern about the actual size and location of the no wake zone, the river channel in conjunction with the no wake zone, and barge traffic.

Commissioner Underwood suggested the petition to initiate a Notice of Intended Action be rejected until the petition can be clarified.

Decision – Denied by Unanimous Vote

DENIED AS PRESENTED

## 20. DIVISION ADMINISTRATOR REMARKS

Chuck Corell provided information regarding the upcoming steel shot shooting course opportunity for the NRC on May 6, 2013. He will provide more information and to contact him if there are any questions. Chuck, also, reminded the Commission that October's NRC meeting and tour location needs to be determined. Options previously discussed were Honey Creek Resort or Pikes Peak State Park/Yellow River State Forest. This can be discussed more at the next meeting.

## 21. GENERAL DISCUSSION

- Public Land Management and Public Land Use (Pleasant Creek State Recreation Area): Kevin Szcodronski, State Parks Bureau Chief, provided information about the stakeholders meeting to discuss the multi use of the area at Pleasant Creek. The stakeholders agreed to let the new short grass prairies establish themselves. With the land management plan, this should provide the resource for all users.
- Fish and Wildlife Service Federal Funding Status: Chuck Corell provided information about current funding discussions and allocations being considered with input from the Prairie Pothole Joint Venture group. At the conference held at the end of March, PPJV discussed the topic, models were reviewed, and funding recommendations and a letter was sent to the Director of the Fish and Wildlife Service. The Directors are to meeting next week and that should determine what follow up action Iowa should take.
- New Commissioner Orientation Planning: Commissioner Underwood suggested having the new training in June or July and invited current commissioners to attend. This will be discussed next month when the new commissioners are present.
- Commissioner Drees recommended reading the book "Nature's Fortune" by Tercek.
- Commissioner Francisco inquired on the feasibility of putting washing facilities at boat ramps of lakes with zebra mussels or at the Mississippi or Missouri Rivers or at future boat ramp areas. Director Gipp provided information on the current unfunded AIS bill and that it is a matter of infrastructure and cost and the Department is limited on funds and personnel.
- Commissioner Prickett commented that the aquatic invasive species are devastating and grateful our staff has moved a bill to help us be diligent in protecting our waters. She also provided information to DNR staff regarding Chronic Wasting Disease testing and antimortum blood testing option at Iowa State University.
- Commissioner Rettig shared about her recent visit to Mammoth Caves National Park and their process for reducing the spread of bat related diseases. Chuck Corell provided information that this is similar to what the Department did at Maquoketa Caves. Commissioner Rettig also requested consideration that large open areas in parks or public areas be available to bicyclists riding into these areas to camp.

- Commissioner Underwood reported she attended the Gift to Iowa's Future on April 1, 2013. Kudos to the Department the program was well done. She also noted this is Earth month and be aware of all the earth activities coming up. In addition, she expressed her appreciation to Commissioners Drees and Rettig for their great service these past six years.

**Lunchtime Presentations:**

Healthy & Happy Outdoors (presenters Michelle Wilson, Tammie Krausman)

NRC Term of Service Recognition for Commissioners Drees and Rettig

Motion to adjourn the meeting – Commissioner Rettig

Seconded – Commissioner Drees

Decision - Approved by Unanimous Vote

With no further business to come before the Natural Resource Commission, Chair Underwood adjourned the meeting on 04/11/13 at 2:05pm.

CARRIED – MEETING ADJOURNED

**UPCOMING NRC MEETING DATES**

- April 11, 2013 – Henry Wallace State Office Building, Des Moines, 9:30am
- May 8, 2013 – Field Tour: Mines of Spain/EB Lyons Interpretive Center, Dubuque, IA, tbd
- May 9, 2013 – Business Meeting: Mines of Spain/EB Lyons Interpretive Center, Dubuque, IA, 8:30am
- June 13, 2013 - Henry Wallace State Office Building, Des Moines, 9:30am

