

Iowa Department of Natural Resources
Natural Resource Commission

ITEM

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DECISION

TOPIC

Chapter 51, Game Management Areas - Final

The Commission is requested to adopt a final rule to amend Chapter 51, "Game Management Areas". Chapter 51 establishes state-owned lands and water under the jurisdiction of the department of natural resources as game management areas for the purpose of preserving the biological balance and for the protection of public parks, public health, safety and welfare, and to effect sound wildlife management.

These amendments add all of Pool 15 and the portion of Pool 14 below the National Wildlife and Fish Refuge to those pools of the Mississippi River where the use of stationary blinds and waterfowl decoys is allowed. This makes the regulations consistent for waterfowl hunters on the Mississippi river below the Upper Mississippi River National Wildlife and Fish Refuge. The U.S. Fish and Wildlife Service does not allow stationary blinds on the Upper Mississippi River National Wildlife Refuge.

Dr. Dale Garner, Wildlife Bureau Chief
Conservation and Recreation Division
June 11, 2009

Attachment: Chapter 51, Game Management Areas – Final

NATURAL RESOURCE COMMISSION[571]

Adopted and Filed

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

Chapter 51 establishes state-owned lands and water under the jurisdiction of the Department of Natural Resources as game management areas for the purpose of preserving the biological balance, the protection of public parks, public health, safety and welfare, and to effect sound wildlife management.

These amendments add all of Pool 15 and the portion of Pool 14 below the National Wildlife and Fish Refuge to those pools of the Mississippi River where the use of stationary blinds and waterfowl decoys is allowed.

Notice of Intended Action was published in the Iowa Administrative Bulletin on April 8, 2009, as ARC 7693B. A public hearing was held on April 29, 2009. There were 22 comments received and 21 were in favor of the proposed change. Since the Notice was published one amendment was added. The amendment removes a sentence from the rule that is no longer relevant.

These amendments are intended to implement Iowa Code sections 456A.24(2) “a” and 481A.6.

These amendments shall become effective August 19, 2009.

The following amendments are adopted.

ITEM 1. Amend subrule 51.6(1) as follows:

51.6(1) Stationary blinds. The construction and use of stationary blinds on all game management areas, except on Pools 15, 16, 17, and 18 and on Pool 14 downstream of the Upper Mississippi River National Wildlife and Fish Refuge (River Mile 502) near Princeton, Iowa, of the Mississippi River, are restricted as follows:

ITEM 2. Amend subrule 51.6(3) as follows:

51.6(3) Use of waterfowl decoys. The use of waterfowl decoys on any game management area, except on Pools 15, 16, 17, and 18 and on Pool 14 downstream of the Upper Mississippi River National Wildlife and Fish Refuge (River Mile 502) near Princeton, Iowa, of the Mississippi River, is restricted as follows:

ITEM 3. Amend subrule 51.6(4) as follows:

51.6(4) Use of stationary blinds and waterfowl decoys on Pools 15, 16, 17, and 18 and on Pool 14 downstream of the Upper Mississippi River National Wildlife and Fish Refuge (River Mile 502) near Princeton, Iowa, of the Mississippi River. The use of permanent blinds for waterfowl hunting on Pools 15, 16, 17, and 18 and on Pool 14 downstream of the Upper Mississippi River National Wildlife and Fish Refuge (River Mile 502) near Princeton, Iowa, of the Mississippi River is restricted as follows:

ITEM 4. Amend paragraph 51.6(4)“b” as follows:

b. Construction. Blinds must have minimum dimensions of 4 feet by 8 feet and not greater than 500 square feet of floor space, not including a boat hide. The blind must be constructed of biodegradable materials, including nontreated dimensional lumber and nontreated plywood, unless the blind will be removed at the end of the waterfowl season. The use of metal or nylon fasteners, including but not limited to nails, screws, lag bolts, staples and ties, is allowed. Treated lumber, treated plywood, woven wire, chicken wire, cattle panels, tin and sheet metal, vinyl and plastic, and other nonbiodegradable materials are not allowed unless those materials or the entire blind is removed within three days after the close of the waterfowl season. ~~All existing blinds are exempted from conforming to these construction requirements until September 1, 2008, except that all repair, modification or new construction of blinds must conform to these construction requirements.~~

Date

Richard A. Leopold, Director

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