

CHAPTER 57  
WHITETAIL DEER HUNTING PRESERVES

**21—57.1(80GA, HF624) Definitions.** As used in these rules:

“*Annual activity report*” means the annual report form provided by the department.

“*Boundary sign*” means a sign prescribed by the department which, when posted, designates whitetail deer hunting preserve boundaries.

“*Department*” means the Iowa department of agriculture and land stewardship.

“*Licensee*” means a person or organization that possesses a valid whitetail deer hunting preserve license issued by the Iowa department of agriculture and land stewardship under this chapter.

“*Tag*” means a self-adhesive, numbered transportation tag for marking individual whitetail deer taken.

“*Whitetail deer*” means an animal belonging to the Cervidae family and classified as part of the Virginianus species of the Odocoileus genus, commonly referred to as whitetail deer. However, a whitetail deer does not include any unmarked free-ranging whitetail deer.

“*Whitetail deer hunting preserve*” means property and facilities designated and licensed for holding, rearing, releasing, or processing whitetail deer for the purpose of hunting, for a fee, over an extended season.

“*Whitetail deer hunting preserve license*” means a seasonal license that authorizes the holder to establish a whitetail deer hunting preserve for the purpose of holding, propagating, and releasing whitetail deer for hunting purposes.

**21—57.2(80GA, HF624) Whitetail deer hunting preserve license application.**

**57.2(1)** Any person who seeks to operate a whitetail deer hunting preserve shall apply to the department for a whitetail deer hunting preserve license. The application shall be on a form prescribed by the department and shall be accompanied by a \$1000 annual licensing fee; however, any person who, on September 1, 2003, held a hunting preserve license issued by the Iowa department of natural resources may operate under that license until that license expires in 2004 or is otherwise terminated by the Iowa department of natural resources. All whitetail deer hunting preserves, no matter how licensed, shall comply with the rules in this chapter.

**57.2(2)** All whitetail deer hunting preserve license applications shall be accompanied by two copies of a plat map depicting the location of all tracts of land included in the proposed hunting preserve.

**57.2(3)** Upon receipt of an application, the department shall inspect the property identified in the application that is to comprise the proposed whitetail deer hunting preserve. The department may license the proposed whitetail deer hunting preserve if the department finds all of the following:

*a.* That the proposed whitetail deer hunting preserve contains a minimum of 320 acres of contiguous land and not more than 2560 acres.

*b.* That the total area of all licensed hunting preserves, including preserves licensed by the department of natural resources, and the proposed preserve will not exceed 3 percent of the land area of the county.

*c.* That the proposed whitetail deer hunting preserve’s fences have been certified pursuant to 2003 Iowa Acts, House File 624, section 7, or 2003 Iowa Acts, House File 624, section 22.

*d.* That the proposed whitetail deer hunting preserve operator has complied with the notification requirements of 2003 Iowa Acts, House File 624, section 8, unless the application is for a renewal of an existing license, including the renewal of a hunting preserve license issued by the department of natural resources prior to September 1, 2003.

**57.2(4)** A whitetail deer hunting preserve shall seek approval of any proposed additions or deletions to the land area of the preserve at least 30 days prior to the effective date of the proposed addition or deletion. The department will inspect the boundary fences of any additions or deletions to ensure that the fence may be certified. If the addition or deletion results in the whitetail deer hunting preserve's exceeding the minimum or maximum acreage limitations or the county limitation set in subrule 57.2(3), then the department shall deny the proposed deletion or addition. The department shall also deny the addition or deletion if the department determines that the new boundary fences cannot be certified.

**57.2(5)** The department shall charge the applicant a fee of \$35 per hour for any inspection of a proposed whitetail deer hunting preserve fence done to certify the fence.

**21—57.3(80GA, HF624) Chronic wasting disease testing.** All whitetail deer hunting preserves shall comply with the chronic wasting disease testing requirements contained in rule 21—64.121(163).

**21—57.4(80GA, HF624) Boundary signs required.** All licensed whitetail deer hunting preserves shall provide, post, and maintain boundary signs which meet the following minimum specifications:

1. 160-square-inch surface area;
2. Sign material of wood, steel, aluminum or heavy poly-plastic; and
3. White/red sign color combination with the message "Licensed hunting preserve."

Boundary signs shall be spaced no more than 500 feet apart.

**21—57.5(80GA, HF624) Fencing required.** All licensed whitetail deer hunting preserves shall construct and maintain a "deerproof" boundary fence. Such fence shall be constructed and maintained with a minimum height of 8 feet above ground level. The fence is subject to periodic inspection by the department. The department shall charge an inspection fee of \$35 per hour for a fence inspection.

**21—57.6(80GA, HF624) Records and annual report.** All licensed whitetail deer hunting preserves shall submit a completed annual activity report no later than April 30 of the license year to the Iowa Department of Agriculture and Land Stewardship, Animal Industry Bureau, Wallace State Office Building, Des Moines, Iowa 50319-0053. All licensed whitetail deer hunting preserves shall retain sales/shipping receipts and health certification records involving the purchase and delivery of any whitetail deer to the licensee. All licensed whitetail deer hunting preserves shall record any transaction involving the sale of whitetail deer by the licensee. All original sales receipts for harvested whitetail deer shall remain with the licensee as a part of the permanent record for a period of at least five years, and a copy shall be provided to the purchasing hunter/client. This record requirement shall also apply to any sale of whitetail deer for private or commercial use, and any sale must be recorded immediately following the event.

Any licensed whitetail deer hunting preserve that has a valid license shall maintain an inventory record of all whitetail deer released and an estimate of whitetail deer being held on the licensed property at any given time.

**21—57.7(80GA,HF624) Whitetail deer transportation tags.** The hunter shall place a numbered, self-adhesive whitetail deer tag on a leg of each whitetail deer harvested on a licensed whitetail deer hunting preserve prior to moving the carcass in any manner. The hunter shall, upon taking a whitetail deer, immediately validate the whitetail deer tag by including the following information in the space provided on the tag: sex of animal taken and the hunter's signature. The hunter shall also notch or punch a hole in the corresponding blocks on the whitetail deer tag designating the year, month and day the animal was taken. The whitetail deer tag shall remain attached to the whitetail deer until the deer is processed for consumption.

Whitetail deer tags shall be purchased from the Animal Industry Bureau, Iowa Department of Agriculture and Land Stewardship, Wallace State Office Building, 502 E. 9th Street, Des Moines, Iowa 50319-0053, at a cost of \$1 per whitetail deer tag.

**21—57.8(80GA,HF624) Whitetail deer processed at a preserve.** A licensed whitetail deer hunting preserve may prepare whitetail deer for hunters/clients by cleaning, dressing, preserving, and packaging the meat. Packaging material shall be a freezer-type paper wrap which shall be sealed and bear the species name, date killed, and whitetail deer hunting preserve name in a legible fashion on the outside of the package. All packages shall have the phrase "NOT FOR SALE" clearly written or stamped on the package. The meat of no other species of animal shall be mixed with the whitetail deer packaged or processed under this rule. The whitetail deer tag shall remain with the meat during processing and shipment.

**21—57.9(80GA,HF624) General conditions for licenses.**

1. Records and facilities shall be available for inspection by employees of the department during reasonable hours.
2. All records and reports must be kept current and shall reflect a true and accurate account of the licensee's activities.
3. The department's animal industry bureau must be notified within 30 days in writing if the licensee ceases operation as a whitetail deer hunting preserve.
4. A licensee must seek to renew the whitetail deer hunting preserve license within 30 days following the expiration date. Renewal requests received after this period may be considered as a new application pursuant to rules 57.2(80GA,HF624) and 57.3(80GA,HF624).
5. The department may revoke or suspend a license if it finds that a licensee has committed a violation of the rules of this chapter, applicable provisions of 21—Chapter 64 or 2003 Iowa Acts, House File 624, or is more than 90 days delinquent in paying required fees.
6. All new whitetail deer hunting preserve license applications shall be considered on a first-come, first-served basis following April 30 of each year.

**21—57.10(80GA,HF624) Fee retention.** All fees collected by the department under this chapter shall be retained by the department to pay for the costs of administering this program and other programs relating to farm deer.

These rules are intended to implement 2003 Iowa Acts, House File 624.

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