



**LEGAL SERVICES DIVISION**

# **Legislative Guide**

## **HUNTING AND FISHING REGULATION**

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# LEGISLATIVE GUIDE TO HUNTING AND FISHING REGULATION



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# Hunting and Fishing Regulation



## I. Introduction.

This Guide provides an overview of hunting and fishing regulations in Iowa. By law all wildlife found in Iowa belongs to the public, including all fish, mussels, clams, and frogs; and all wild game, animals, and birds, including their nests, and eggs and all other wildlife found in the state, whether game or nongame, native or migratory.<sup>1</sup> Policies for the management of wildlife resources for the use and enjoyment of all Iowans, including allowing and regulating hunting and fishing of wild animals, are contained in statutes enacted by the General Assembly and in rules promulgated by the Natural Resource Commission (Commission) in conjunction with the Department of Natural Resources (DNR).

References in this Guide are to the 2007 Iowa Code. References to the Iowa Administrative Code are to the Administrative Code as of November 2006. References to Internet sites are to references published as noted.

## II. State Agencies That Regulate Hunting and Fishing.

### A. Department of Natural Resources.

The DNR is created by statute and given primary responsibility for managing fish and wildlife resources in this state.<sup>2</sup> The DNR has the duty to protect, propagate, increase, and preserve wild mammals, fish, birds, reptiles, and amphibians and enforce laws, rules, and regulations relating to these animals.<sup>3</sup>

#### 1. Director.

The director is the chief administrative officer of the DNR and is appointed by the Governor, subject to confirmation by the Senate.<sup>4</sup> The director is a full-time employee of the state whose duties include providing overall supervision, direction, and coordination of the functions of the DNR and its over 1,000 full-time and over 800 part-time employees.<sup>5</sup>

#### 2. Conservation and Recreation Division.

The DNR is organized into three divisions. The Conservation and Recreation Division, which manages wildlife resources, is, in turn, organized into five bureaus:

##### a. Fisheries Bureau.

- Provides access to and management of public fishing areas, including development of fish habitat and stocking waters with fish.
- Operates fish hatcheries throughout the state and conducts research aimed at improving sport fish management.
- Develops new public waters to provide more opportunities for fishing.<sup>6</sup>

<sup>1</sup> Iowa Code § 481A.2.

<sup>2</sup> Iowa Code § 455A.2.

<sup>3</sup> Iowa Code § 456A.23.

<sup>4</sup> Iowa Code § 455A.3.

<sup>5</sup> Iowa Code § 455A.4; Iowa Department of Natural Resources, "About Us," n.d., <<http://www.dnr.com/about.html>> (last visited Aug. 29, 2006).

<sup>6</sup> Iowa Department of Natural Resources, "About Us," n.d., <<http://www.dnr.com/about.html>> (last visited Aug. 29, 2006).



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## **b. Wildlife Bureau.**

- Maintains approximately 300,000 acres of public land that provides habitat for game and nongame wildlife and opportunities for public hunting and outdoor recreation.
- Employs biologists who provide wildlife habitat assistance to private landowners.
- Conducts wildlife research restoration programs for game and nongame species.
- Recommends hunting and trapping seasons.
- Participates in acquiring and developing additional public wildlife lands.<sup>7</sup>

## **c. Forestry Bureau.**

- Provides technical, management planning, and cost-share programs, and education assistance concerning prairies and forests to Iowa residents.
- Manages more than 40,000 acres of forests for timber, wildlife, watershed protection, and recreation.
- Operates two state nurseries that sell plant materials at low cost to the public for erosion control, wildlife habitat, and reforestation.<sup>8</sup>

## **d. Parks and Preserves Bureau.**

- Operates approximately 84 parks and recreation areas in the state providing facilities for camping, cabins, picnicking, trails, swimming, boating, and fishing.
- Operates more than 90 state preserves that have natural or cultural significance.
- Supervises programs in recreation planning and resource protection.<sup>9</sup>

## **e. Law Enforcement Bureau.**

- Employs conservation officers who enforce laws related to fish, wildlife, boating, snowmobiling, and all-terrain vehicles, assist with wildlife and fish population surveys, provide conservation information to the public, and conduct safety programs for the public.<sup>10</sup>

## **B. Natural Resource Commission.**

### **1. Responsibilities and Duties.**

The Commission is created by statute to:

- Oversee the functions of the DNR concerned with wildlife management.<sup>11</sup>
- Determine whether or not biological balance exists.
- By administrative rule set hunting seasons, method and hours of take, bag and catch limits, size limits, possession limits, and territorial limits for hunts, and make necessary regulations regarding the taking of animals in accordance with sound fish and wildlife management principles.<sup>12</sup>

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<sup>7</sup> Id.

<sup>8</sup> Id.

<sup>9</sup> Id.

<sup>10</sup> Id.

<sup>11</sup> Iowa Code § 455A.5.

<sup>12</sup> Iowa Code § 481A.39.



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- Establish policy and adopt rules for the effective administration of statutes relating to wildlife resources.
- Hear appeals in contested cases relating to wildlife resources.
- Approve or disapprove proposals for the acquisition or disposal of state lands and waters relating to state parks, recreational facilities, and wildlife programs.
- Approve the DNR's annual budget request to the General Assembly for administration of wildlife resources.
- Set fees for permits and administration costs by considering reasonable costs associated with permit issuance and compliance monitoring, relative benefits to the applicant and the public, and typical costs associated with the permitted project or activity.
- Approve or disapprove proposals involving lakes, boating facilities, and recreational facilities associated with recreational boating.<sup>13</sup>

## **2. Appointments.**

The Commission consists of seven members appointed by the Governor for staggered terms of six years, subject to confirmation by the Senate. Members must exhibit substantial knowledge of subjects involved with the protection and management of wildlife in the state, including enforcement of laws, rules, and regulations relating to them.<sup>14</sup>

## **3. Meetings.**

The Commission generally meets on a monthly basis at various locations around the state. The agenda and location of each meeting is posted in advance, including on the DNR's Internet site. Members of the Commission are reimbursed for actual and necessary travel expenses incurred in the discharge of their official duties, but are not employees of the state.<sup>15</sup>

## **III. Regulation of Hunting and Fishing.**

### **A. Type of Animal Involved.**

#### **1. Endangered and Threatened Animals.**

The Commission cooperates with the federal government to conserve and protect those species determined to be endangered and threatened species by the federal government<sup>16</sup> and conducts investigations on fish and wildlife in the state to determine what management measures are necessary for the sustenance of these species. The Commission is also required to adopt a state list, specific to Iowa, of those species which the Commission determines are endangered or threatened in the state.<sup>17</sup>

A person is prohibited from taking, possessing, selling or offering to sell, or buying or offering to buy, and a common or contract carrier is prohibited from transporting or receiving for shipment any species of fish or wildlife that appears on either the state or

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<sup>13</sup> Iowa Code § 455A.5.

<sup>14</sup> Iowa Code § 455A.5(3).

<sup>15</sup> Iowa Code § 455A.5.

<sup>16</sup> Iowa Code § 481B.2.

<sup>17</sup> Iowa Code § 481B.3. See Iowa Admin. Code 571-77.2, Endangered, threatened, and special concern animals, for the list.



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federal lists of endangered or threatened fish or wildlife, unless a statute or rule otherwise provides.<sup>18</sup> Examples of exemptions from this prohibition include live animals, or parts or products of animals, on the list held pursuant to a scientific collecting permit or educational project permit or purchased outside the state.<sup>19</sup>

## 2. Protected Nongame Animals.

By statute, protected nongame species of animals that cannot be taken include wild fish, wild birds, wild bats, wild reptiles, and wild amphibians, as well as eggs, nests, and dead bodies or parts of the dead bodies of such animals or products made from body parts of such animals.<sup>20</sup> "Taking," "attempting to take," or "hunt" means pursuing or hunting, fishing, killing, trapping, snaring, netting, searching for or shooting at, or stalking or lying in wait for any game, animal, bird, or fish protected by state laws or rules adopted by the Commission, whether or not such animal is subsequently captured, killed, or injured.<sup>21</sup>

## 3. Other Protected Animals.

By statute, certain animals are excepted from the definition of "protected nongame animals." These animals are still protected because they can be taken only under specified circumstances or conditions pursuant to statute or pursuant to rules established by the Commission.<sup>22</sup> Animals in this category include:

### a. Game.<sup>23</sup>

"Game" includes all of the following specified animals, except those designated as not protected, and includes the heads, skins, and any other parts, and the nests, eggs, and plumage of birds:

- i. The Anatidae: such as swans, geese, brant, and ducks.
- ii. The Rallidae: such as rails, coots, mudhens, and gallinules.
  - iii. The Limicolae: such as shorebirds, plovers, surfbirds, snipe, woodcock, sandpipers, tattlers, godwits, and curlews.
  - iv. The Gallinae: such as wild turkeys, grouse, pheasants, partridges, and quail.
- v. The Columbidae: mourning doves and wild rock doves only.
- vi. The Sciuridae: such as gray squirrels and fox squirrels.
- vii. The Leporidae: cottontail rabbits and jackrabbits only.
- viii. The Cervidae: such as elk or deer, other than farm deer.

Additional restrictions relating to certain game birds and animals prohibit disturbing, pursuing, shooting, killing, taking or attempting to take, or possessing a gray or fox squirrel, bobwhite quail, cottontail or jackrabbit, duck, snipe, pheasant, goose, woodcock, partridge, coot, rail, ruffed grouse, wild turkey, pigeon, or deer, except as otherwise provided by law.

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<sup>18</sup> Iowa Code § 481B.5.

<sup>19</sup> Iowa Admin. Code 571-77.4(2),(3).

<sup>20</sup> Iowa Code § 481A.42.

<sup>21</sup> Iowa Code § 481A.1(32).

<sup>22</sup> Iowa Code § 481A.42.

<sup>23</sup> Iowa Code § 481A.1(21).

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Laws dealing with migratory birds are enacted at the federal level. While a state law cannot be less restrictive than the federal law, a state can add additional limitations.<sup>24</sup> For instance, Iowa law prohibits the taking or possession of migratory birds other than those which are specified in the statute, including ducks and geese<sup>25</sup> and designated raptors and crows.<sup>26</sup> Thus, some birds, such as mourning doves, which can be hunted under federal law and in some other states cannot be hunted in Iowa.<sup>27</sup>

## **b. Fish.**<sup>28</sup>

Fish can only be taken pursuant to regulations established by statute or rule.

## **c. Furbearers.**<sup>29</sup>

Furbearers include beaver, badger, mink, otter, muskrat, raccoon, skunk, opossum, spotted skunk or civet cat, weasel, coyote, bobcat, wolf, groundhog, red fox, and gray fox, but do not include domesticated fur-bearing animals. Fur-bearing animals can only be taken, captured, killed, or possessed during the open season set by the Commission, except as necessary for the protection of a person or public or private property with the prior permission of a representative of the Commission, or without prior permission when the fur-bearing animal represents a threat to a person, domestic animal, or private property.<sup>30</sup>

## **d. Frogs.**<sup>31</sup>

Frogs can only be taken pursuant to regulations established by statute or rule.

## **e. Turtles.**<sup>32</sup>

Turtles can only be taken pursuant to regulations established by statute or rule.

## **f. Mussels.**<sup>33</sup>

Mussels can only be taken pursuant to regulations established by statute or rule.

## **g. Nuisances.**

Nuisances are species of nongame animals which by their abundance or habits are declared a nuisance by the Commission. Unprotected nongame animals so designated presently include European starlings and house sparrows,<sup>34</sup> garter snakes, and timber rattlesnakes not located in specific areas.<sup>35</sup>

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<sup>24</sup> DNR, "Iowa DNR Education — People and Wildlife," <<http://www.iowadnr.com/education/wldppl.html>>, (last visited Aug. 29, 2006).

<sup>25</sup> Iowa Code § 481A.48(1).

<sup>26</sup> Iowa Code § 481A.48(3).

<sup>27</sup> Iowa Code § 481A.48(2).

<sup>28</sup> Iowa Code §§ 481A.1(18), 481A.38.

<sup>29</sup> Iowa Code §§ 481A.1(20), 481A.38.

<sup>30</sup> Iowa Code § 481A.87.

<sup>31</sup> Iowa Code §§ 481A.1(19), 481A.38.

<sup>32</sup> Iowa Code § 481A.1(34).

<sup>33</sup> Iowa Code §§ 481A.1(24), 481A.38.

<sup>34</sup> Iowa Admin. Code 571-76.1(1).

<sup>35</sup> Iowa Admin. Code 571-76.1(2).



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Special provisions allow the taking of protected animals that have become nuisances. For instance, there is a continuous open season for taking pigeons with firearms when the pigeons are within 100 yards of buildings and bridges.<sup>36</sup> Pigeons posing a health or safety hazard can also be taken by trapping or with specified pesticide repellents or toxic perches.<sup>37</sup> Muskrat houses may be molested or disturbed on specific state game management areas upon a finding that muskrats are causing excessive damage by destroying vegetation essential to the welfare of a marsh.<sup>38</sup> A conservation officer or wildlife biologist may authorize a landowner or tenant to trap coyotes outside the established trapping season upon a finding that the coyotes are causing damage.<sup>39</sup> The DNR is authorized to issue deer depredation permits to producers of agricultural or high-value horticultural crops to shoot deer that are causing excessive crop damage<sup>40</sup> and to organize and allow other special deer hunts when necessary.<sup>41</sup>

## **h. Bats.**

Bats, except for the Indiana bat, can be taken when found within a building that is occupied by humans.<sup>42</sup>

## **4. Nonprotected Animals.**

Animals not included in the category of endangered or threatened species, protected nongame species, or in one of the other categories specifically protected, are not protected and can be killed indiscriminately. For example, most insects do not fall into any of the protected categories.

As another example, mountain lions have been sighted in the state but they do not fall into any category of protected animals. In 2005, the DNR recommended that mountain lions be added to the statutory definition of fur-bearing animals so that they would be protected from indiscriminate killing unless the Commission set a season for taking them, and lowans would still retain the right to hunt or trap the animals when necessary to protect persons or property.<sup>43</sup> This recommendation has not been enacted by the General Assembly.

## **B. General Prohibitions.**

There are numerous prohibitions and limitations on hunting and fishing designed to maintain biological balance, to maintain a sense of "fair chase" in the taking of wild animals, and to prevent abuse of the animals being hunted and their offspring. Some of the prohibitions or limitations are:

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<sup>36</sup> Iowa Admin. Code 571-100.2(1).

<sup>37</sup> Iowa Admin. Code 571-100.2(2).

<sup>38</sup> Iowa Admin. Code 571-108.1(1).

<sup>39</sup> Iowa Admin. Code 571-108.5.

<sup>40</sup> Iowa Admin. Code 571-106.11.

<sup>41</sup> Iowa Code § 481A.38.

<sup>42</sup> Iowa Code § 481A.42.

<sup>43</sup> See Natural Resource Commission Agenda dated June 9, 2005, Item 19, <<http://www.iowadnr.com/nrc/osjun09a.html>>, (last visited August 28, 2006).

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## 1. Fishing Prohibitions.

- No interference with designated fish spawning grounds.<sup>44</sup>
- No unlawful erection, destruction, or alteration of dams hindering the passage of fish on waterways.<sup>45</sup>
- No use of more than three tip-up fishing devices for fishing in the waters of the Mississippi River, the Missouri River, or the Big Sioux River, and no use of such devices near dams, spillways, or parts of a river posted against their use.<sup>46</sup>
- No fishing except with hook, line, and sinker, except as otherwise allowed by law, and, except for tagged lines, no leaving lines and hooks in the water unattended.<sup>47</sup>
- No fishing with grabhooks, snaghooks, nets, seines, traps, firearms, dynamite or other explosives, poisonous or stupefying substances, lime, ashes, electricity, or hand fishing, except as otherwise allowed by law.<sup>48</sup>
- No taking of fish, minnows, frogs, or other aquatic or biological life from any state fish hatchery, nursery, or other fish production area under the Commission's jurisdiction.<sup>49</sup>
- No use of a device, net, barrier, or fence restricting frogs from access to and egress from water.<sup>50</sup>

## 2. Hunting Prohibitions.

- No use of birds as targets, except when training hunting dogs.<sup>51</sup>
- No use of mobile radio transmitters to track the location or direction of game or to coordinate movements of hunters.<sup>52</sup>
- No selling the plumage, skin, or body of any protected bird.<sup>53</sup>
- No buying or selling, dead or alive, a protected bird or animal or any part of one, except for the skins, plumage, and antlers of legally taken game.<sup>54</sup>
- No further chase or removal of a game bird or fur-bearing animal when pursued to a tree or den while training dogs.<sup>55</sup>
- No disturbing any den, lodge, or house of a fur-bearing animal or beaver dam except with written permission of a DNR officer or when necessary to protect an owner's property.<sup>56</sup>

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<sup>44</sup> Iowa Code § 481A.9.

<sup>45</sup> Iowa Code §§ 481A.14, 481A.15.

<sup>46</sup> Iowa Code § 481A.68.

<sup>47</sup> Iowa Code §§ 481A.72, 481A.73.

<sup>48</sup> Iowa Code § 481A.76.

<sup>49</sup> Iowa Code § 481A.85.

<sup>50</sup> Iowa Code § 481A.84.

<sup>51</sup> Iowa Code § 481A.21.

<sup>52</sup> Iowa Code § 481A.24.

<sup>53</sup> Iowa Code § 481A.50.

<sup>54</sup> Iowa Code § 481A.55(1).

<sup>55</sup> Iowa Code § 481A.56.

<sup>56</sup> Iowa Code § 481A.90.



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- No use of spotlights, headlights, or other artificial lights to spot, locate, or hunt a bird or animal, by persons with firearms, bows, or other implements for taking birds or animals, except when raccoons or other fur-bearing animals are treed with the aid of dogs.<sup>57</sup>
- No hunting any animal, fowl, or fish from aircraft or snowmobiles.<sup>58</sup>
- No hunting game or fur-bearing animals with a firearm within 200 yards of a building inhabited by people or domestic livestock or of a feedlot, unless the owner or tenant consents, or unless hunting deer within 50 yards of such a building or feedlot within a city's limits with such consent, pursuant to an approved special deer population control plan.<sup>59</sup>
- No taking a predominately white deer of the whitetail species.<sup>60</sup>
- No intentional interference with the lawful hunting, fishing, or fur-harvesting activities of another.<sup>61</sup>
- No abandonment of an injured game or fur-bearing animal without reasonable retrieval efforts and no leaving of useable portions of game or fur-bearing animals in the field, except for pigeons or crows.<sup>62</sup>

### **3. Weapon or Means of Take Prohibitions.**

- No use of crossbows except by certain persons with disabilities.<sup>63</sup>
- No shooting a rifle on or over any of the public waters or public highways of the state or any railroad right-of-way.<sup>64</sup>
- No shooting a shotgun shooting slugs, a pistol, or a revolver on or over a public roadway. "Roadway" means the traveled portion of the road and the shoulders ordinarily used for vehicular traffic as defined in Code section 321.1(65), but does not include the ditches. It is permissible to shoot a shotgun with bird shot on or over the roadway or from a ditch. It is also permissible to shoot a shotgun shooting slugs from a road ditch down the road ditch or into an adjacent field, but not from the traveled portion of the road or from the shoulder.<sup>65</sup>
- No shooting a shotgun shooting slugs or a muzzleloader from a highway during the regular gun deer hunting seasons in areas north of U.S. Highway 30. "Highway" means the way between property lines open to the public for vehicle traffic, including the ditches, as defined in Code section 321.1(78).<sup>66</sup>

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<sup>57</sup> Iowa Code § 481A.93(1).

<sup>58</sup> Iowa Code § 481A.120.

<sup>59</sup> Iowa Code § 481A.123(1).

<sup>60</sup> Iowa Code § 481A.124.

<sup>61</sup> Iowa Code § 481A.125.

<sup>62</sup> Iowa Code § 481A.137.

<sup>63</sup> Iowa Code § 481A.38(1).

<sup>64</sup> Iowa Code § 481A.54(1).

<sup>65</sup> Iowa Code § 481A.54(2).

<sup>66</sup> Iowa Admin. Code 571-106.7(7).

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- No use of dogs, domestic animals, bait, rifles other than muzzleloaders except as specified, handguns as specified, crossbows as specified, automobiles, aircraft, or any mechanical conveyance or device, including electronic calls, for hunting deer.<sup>67</sup>
- No capturing, trapping, or poisoning any game bird or animal except as otherwise authorized.<sup>68</sup>
- No use of chemicals, explosives, smoking devices, mechanical ferrets, wire, tool, instrument, or water to remove fur-bearing animals from their dens, except as otherwise provided.<sup>69</sup>
- No gun carried in or on a vehicle on a public highway unless the gun is taken down or totally contained in a case and is unloaded, except as otherwise authorized.<sup>70</sup>
- No use of swivel guns or any other firearm except those commonly shot from the shoulder or hand and no gun larger than number 10 gauge for hunting.<sup>71</sup>
- No spearing or shooting with a shotgun any beaver, mink, otter, or muskrat.<sup>72</sup>

## 4. Trapping and Game Breeding Prohibitions.

- No raising or selling game or fur-bearing animals, except rock doves and pigeons, without a game breeder's license, and no handling and confinement of such animals except with humane care and treatment.<sup>73</sup>
- No acquiring protected live game animals, game birds and their eggs, or fur-bearing animals from the wild for game breeding.<sup>74</sup>
- No interference with homing pigeons.<sup>75</sup>
- No banding or marking of birds or animals without Commission approval.<sup>76</sup>
- No use of colony traps to take any game or fur-bearing animals, except muskrats, as determined by the Commission.<sup>77</sup>
- No use of box traps capable of capturing more than one game or fur-bearing animal at each setting.<sup>78</sup>
- No use of traps and snares, unless they are labeled with the user's name and address and are checked at least once every 24 hours, except when placed entirely under water.<sup>79</sup>

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<sup>67</sup> Iowa Admin. Code 571-106.7(6).

<sup>68</sup> Iowa Code § 481A.58.

<sup>69</sup> Iowa Code § 481A.92(2).

<sup>70</sup> Iowa Code § 483A.36.

<sup>71</sup> Iowa Code § 483A.37.

<sup>72</sup> Iowa Code § 481A.91.

<sup>73</sup> Iowa Code § 481A.60.

<sup>74</sup> Iowa Code § 481A.61(4).

<sup>75</sup> Iowa Code § 481A.59.

<sup>76</sup> Iowa Code § 481A.66.

<sup>77</sup> Iowa Code § 481A.92(1).

<sup>78</sup> Iowa Code § 481A.92(1).

<sup>79</sup> Iowa Code § 481A.92(1).



# Hunting and Fishing Regulation

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- No use of humane traps or traps designed to kill instantly with a jaw spread exceeding eight inches, except when placed entirely under water.<sup>80</sup>
- No use of conibear-type traps and snares set on the right-of-way of a public road within 200 yards of the entry to the private drive of a residence without permission of the occupant.<sup>81</sup>
- No use of snares with a loop larger than eight inches in horizontal measurement, except when at least one-half of the loop is under water.<sup>82</sup>
- No use of snares with loops larger than 11 inches in horizontal measurement set on private land, other than roadsides, within 30 yards of a pond, lake, creek, drainage ditch, stream, or river.<sup>83</sup>
- No use of snares without a functional deer lock which does not allow the snare loop to close smaller than two and one-half inches in diameter.<sup>84</sup>
- No possession of more than two game birds or fur-bearing animals as pets without obtaining a game breeder's license. Such animals may be kept as pets only if obtained from a licensed game breeder or from a legal source outside the state and not allowed to increase in number.<sup>85</sup>

## IV. Resident Fishing Licenses and Fees.

With some exceptions, a resident who wishes to fish in this state must obtain a fishing license. Fishing license and fee requirements are generally based upon the type of fish and whether the fishing is for personal or commercial purposes.

### A. Resident Sport Fishing Licenses.

- Annual license — \$17.<sup>86</sup>
- Seven-day fishing license — \$11.50.<sup>87</sup>
- One-day fishing license — \$7.50.<sup>88</sup>
- Lifetime fishing license available to a person who is 65 years of age or older — \$50.50.<sup>89</sup>
- Lifetime fishing or lifetime hunting and fishing combined license available to a person who is a veteran as defined in Code section 35.1 or who served in the armed forces of the United States for a minimum aggregate of 90 days of active federal service and was disabled or was a prisoner of war during the person's military service — \$5.<sup>90</sup>

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<sup>80</sup> Iowa Code § 481A.92(2).

<sup>81</sup> Iowa Code § 481A.92(3).

<sup>82</sup> Iowa Code § 481A.92(4).

<sup>83</sup> Iowa Code § 481A.92(4).

<sup>84</sup> Iowa Code § 481A.92(5).

<sup>85</sup> Iowa Code § 483A.23.

<sup>86</sup> Iowa Code § 483A.1(1)(a).

<sup>87</sup> Iowa Code § 483A.1(1)(l).

<sup>88</sup> Iowa Code § 483A.1(1)(s).

<sup>89</sup> Iowa Code § 483A.1(1)(b).

<sup>90</sup> Iowa Code § 483A.24(13).



# Hunting and Fishing Regulation



- Special fishing license available to a person who is 16 years of age or older and has severe mental or physical disabilities — no charge.<sup>91</sup>
- Special annual fishing license available to a person who has permanent disabilities and is low income — no charge.<sup>92</sup>
- Special annual fishing license available to a person who is 65 years of age or older and is low income — no charge.<sup>93</sup>

## **B. Resident Commercial Fishing Licenses.**

- Annual commercial fishing license — \$200.<sup>94</sup> This license is required for a person taking or transporting fish from state waters for the purpose of selling them.<sup>95</sup>
- Designated operator license — \$50.<sup>96</sup> This license is required for a person designated by a commercial fisher to lift and fish with licensed commercial fishing gear owned by the commercial fisher.<sup>97</sup>
- Annual commercial turtle license — \$50.<sup>98</sup> This license is required for a person to take and possess more than 100 pounds of live or 50 pounds of dressed turtles. The holder of a commercial turtle license may sell live or dressed turtles.<sup>99</sup>
- Annual commercial mussel fisher license — \$100.<sup>100</sup> This license is required for a person to take or possess more than 20 pounds of mussels or shells daily. The holder of a commercial mussel license may sell mussels or shells.<sup>101</sup>
- Annual commercial mussel buyer license — \$1,000.<sup>102</sup> This license is required to buy mussels or shells.<sup>103</sup>
- Annual commercial mussel helper license — \$50.<sup>104</sup> This license is required for a person to assist commercial mussel fishers in possessing, processing, or transporting commercial freshwater mussels, but does not allow the taking or sale of mussels or shells.<sup>105</sup>

## **C. Special Resident Provisions.**

- Trout Fishing. A fishing licensee shall not fish for or possess trout without paying an additional trout fishing fee of \$10.50.<sup>106</sup> Persons under 16 years of age who are not required to have a fishing license are required to pay the trout fishing fee to fish for or

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<sup>91</sup> Iowa Code § 483A.24(9).

<sup>92</sup> Iowa Code § 483A.24(14).

<sup>93</sup> Iowa Code § 483A.24(14).

<sup>94</sup> Iowa Code § 482.4(6)(a).

<sup>95</sup> Iowa Code § 482.2(3).

<sup>96</sup> Iowa Code § 482.4(6)(c).

<sup>97</sup> Iowa Code § 482.4(2).

<sup>98</sup> Iowa Code § 482.4(6)(f).

<sup>99</sup> Iowa Code § 482.11(1)(b).

<sup>100</sup> Iowa Code § 482.4(6)(g).

<sup>101</sup> Iowa Code § 482.12(1)(b).

<sup>102</sup> Iowa Code § 482.4(6)(h).

<sup>103</sup> Iowa Code § 482.12(1)(c).

<sup>104</sup> Iowa Code § 482.4(6)(m).

<sup>105</sup> Iowa Code § 482.12(1)(d).

<sup>106</sup> Iowa Code §§ 483A.1(1)(m), 483A.6.



# Hunting and Fishing Regulation

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possess trout unless fishing with a licensed adult who has paid the trout fishing fee and limiting their combined catch to the daily limit established by the Commission.<sup>107</sup>

- Turtle Fishing. A sport fishing license entitles a person to take and possess a maximum of 100 pounds of live turtles or 50 pounds of dressed turtles, but not to sell the turtles.<sup>108</sup>
- Freshwater Mussel Fishing. A sport fishing license entitles a person to take and possess a maximum amount of mussels or shells daily, as specified by the Commission by rule, but not to sell the mussels.<sup>109</sup>

## D. Resident Fishing License Not Required.

- Owners or tenants of land and their juvenile children fishing on their own land.<sup>110</sup>
- Persons under 16 years of age.<sup>111</sup>
- Students 16 years of age or older participating in a DNR Fish Iowa! supervised school outing with a permit.<sup>112</sup>
- Minor pupils of the State School for the Blind, State School for the Deaf, or minor residents of other state institutions under the control of the Department of Human Services.<sup>113</sup>
- Persons on active duty with the United States armed forces on authorized leave from a duty station located outside the state.<sup>114</sup>
- Persons who are residents of a county care facility or who are receiving state supplementary assistance under Code chapter 249.<sup>115</sup>
- Lessees of a camping space at a campground fishing on a private lake or pond on the premises of the campground.<sup>116</sup>
- Patients of a substance abuse facility, residents of a health care facility licensed under Code chapter 135C, tenants of elder group homes licensed under Code chapter 231B, tenants of assisted living program facilities licensed under Code chapter 231C, participants who attend adult day services programs licensed under Code chapter 231D, participants in services funded under a federal home and community-based services waiver implemented under the medical assistance program as defined in Code chapter 249A, persons cared for in juvenile shelter care homes pursuant to Code chapter 232 fishing in a supervised group, and persons supervising any of such groups, may fish pursuant to a permit issued by the DNR.<sup>117</sup>

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<sup>107</sup> Iowa Code § 483A.24(5).

<sup>108</sup> Iowa Code § 482.11(1)(a).

<sup>109</sup> Iowa Code § 482.12(1)(a); Iowa Admin. Code 571-87.2(4).

<sup>110</sup> Iowa Code § 483A.24(1).

<sup>111</sup> Iowa Code § 483A.24(5).

<sup>112</sup> Iowa Code § 483A.24(15).

<sup>113</sup> Iowa Code § 483A.24(6).

<sup>114</sup> Iowa Code § 483A.24(6).

<sup>115</sup> Iowa Code § 483A.24(6).

<sup>116</sup> Iowa Code § 483A.24(11).

<sup>117</sup> Iowa Code § 483A.24(12).

# Hunting and Fishing Regulation



## V. Nonresident Fishing Licenses and Fees.

### A. Nonresident Sport Fishing Licenses.

- Annual license — \$39.<sup>118</sup>
- Seven-day license — \$30.<sup>119</sup>
- Three-day license — \$15.50.<sup>120</sup>
- One-day license — \$8.50.<sup>121</sup>

### B. Nonresident Commercial Fishing Licenses.

- Annual commercial fishing license — \$400.<sup>122</sup>
- Designated operator license — \$100.<sup>123</sup> This license is required for a person designated by a commercial fisher to lift and fish with licensed commercial fishing gear owned by the commercial fisher.<sup>124</sup>
- Annual commercial turtle license — \$100.<sup>125</sup> This license is required for a person to take and possess more than 100 pounds of live or 50 pounds of dressed turtles. The holder of a commercial turtle license may sell live or dressed turtles.<sup>126</sup>
- Annual commercial mussel fisher license — \$2,500.<sup>127</sup> This license is required for a person to take or possess more than 20 pounds of mussels or shells daily. The holder of a commercial mussel license may sell mussels or shells.<sup>128</sup>
- Annual commercial mussel buyer license — \$5,000.<sup>129</sup> A commercial mussel buyer license is required to buy mussels or shells.<sup>130</sup>
- Annual commercial mussel helper license — \$200.<sup>131</sup> This license is required for a person to assist commercial mussel fishers in possessing, processing, or transporting mussels but does not allow the taking or sale of mussels or shells.<sup>132</sup>

### C. Special Nonresident Provisions.

- Trout Fishing. A fishing licensee cannot fish for or possess trout without paying an additional trout fishing fee of \$13.<sup>133</sup> Persons under 16 years of age who are not required to have a fishing license are required to pay the trout fishing fee in order to fish

<sup>118</sup> Iowa Code § 483A.1(2)(a).

<sup>119</sup> Iowa Code § 483A.1(2)(b).

<sup>120</sup> Iowa Code § 483A.1(2)(t).

<sup>121</sup> Iowa Code § 483A.1(2)(v).

<sup>122</sup> Iowa Code § 482.4(6)(b).

<sup>123</sup> Iowa Code § 482.4(6)(d).

<sup>124</sup> Iowa Code § 482.4(2).

<sup>125</sup> Iowa Code § 482.4(6)(f).

<sup>126</sup> Iowa Code § 482.11(1)(b).

<sup>127</sup> Iowa Code § 482.4(6)(l).

<sup>128</sup> Iowa Code § 482.12(1)(b).

<sup>129</sup> Iowa Code § 482.4(6)(i).

<sup>130</sup> Iowa Code § 482.12(1)(c).

<sup>131</sup> Iowa Code § 482.4(6)(n).

<sup>132</sup> Iowa Code § 482.12(1)(d).

<sup>133</sup> Iowa Code §§ 483A.1(2)(n), 483A.24(5).



## Hunting and Fishing Regulation

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for or possess trout unless fishing with a licensed adult who has paid the trout fishing fee and limiting their combined catch to the daily limit established by the Commission.<sup>134</sup>

- Turtle Fishing. A sport fishing license entitles a person to take and possess a maximum of 100 pounds of live turtles or 50 pounds of dressed turtles, but not to sell the turtles.<sup>135</sup>
- Freshwater Mussel Fishing. A sport fishing license entitles a person to take and possess a specified maximum amount of mussels or shells daily as specified by the Commission by rule, but not to sell the mussels.<sup>136</sup>

### D. Nonresident Fishing License Not Required.

- Owners or tenants of land and their juvenile children fishing on their own land.<sup>137</sup>
- Persons under 16 years of age.<sup>138</sup>
- Lessees of a camping space at a campground fishing on a private lake or pond on the premises of the campground.<sup>139</sup>

## VI. Resident Hunting and Trapping Licenses and Fees.

Generally, except as otherwise provided, a person who wishes to hunt or trap protected wild animals, birds, or game in this state must obtain a hunting license or fur harvester license and pay the wildlife habitat fee.<sup>140</sup> Special license and fee requirements exist for hunting deer, wild turkeys, and certain migratory game birds. The Commission is empowered to adopt procedures, by rule, for issuing licenses to take deer or wild turkey if the Commission finds that the number of hunters licensed or the type of license issued to take deer or wild turkey needs further limitation or regulation, although such rules cannot conflict with statutory requirements.<sup>141</sup>

### A. Resident Hunting Licenses.

#### 1. License Required.

- Annual hunting license — \$17.<sup>142</sup>
- A person required to have a hunting license must pay the wildlife habitat fee of \$8.<sup>143</sup>
- Lifetime fishing or lifetime hunting and fishing combined license available to a person who is a veteran as defined in Code section 35.1 or who served in the armed forces of the United States for a minimum aggregate of 90 days of active federal service and who was disabled or was a prisoner of war during the person's military service — \$5.<sup>144</sup>

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<sup>134</sup> Iowa Code § 483A.24(5).

<sup>135</sup> Iowa Code § 482.11(1)(a).

<sup>136</sup> Iowa Code § 482.12(1)(a); Iowa Admin. Code 571-87.2(4).

<sup>137</sup> Iowa Code § 483A.24(1).

<sup>138</sup> Iowa Code § 483A.24(5).

<sup>139</sup> Iowa Code § 483A.24(11).

<sup>140</sup> Iowa Code §§ 483A.1, 483A.3.

<sup>141</sup> Iowa Code § 481A.38(2).

<sup>142</sup> Iowa Code § 483A.1(1)(c).

<sup>143</sup> Iowa Code §§ 483A.1(1)(q), 483A.3.

<sup>144</sup> Iowa Code § 483A.24(13).

# Hunting and Fishing Regulation



- Special annual combined hunting and fishing license available to a person who has permanent disabilities and is low income — no charge.<sup>145</sup>
- Special annual combined hunting and fishing license available to a person who is 65 years of age or older and is low income — no charge.<sup>146</sup>
- Hunting license does not permit the holder to trap fur-bearing animals except as otherwise provided.<sup>147</sup>
- A person born after January 1, 1967, cannot obtain a hunting license unless the person is at least 12 years of age and satisfactorily completes a hunter safety and ethics education course approved by the Commission. A person 11 years of age may complete the course and be issued a certificate of completion valid at age 12.<sup>148</sup>
- A hunting licensee under 18 years of age must exhibit a valid certificate of completion of a state-approved hunter safety and ethics education course upon the request of a DNR officer.<sup>149</sup>
- A member of the armed forces of the United States who is serving on active duty and is stationed in the state may purchase a resident license.<sup>150</sup>

## 2. License Not Required.

- A person under 16 years of age if accompanied by the person's parent or guardian, or any other competent adult with the consent of the person's parent or guardian, who possesses a valid hunting license. One licensed adult must accompany each minor.<sup>151</sup>
- A person participating in a licensed field trial with a dog.<sup>152</sup>
- A resident on active duty with the United States armed forces on authorized leave from a duty station located outside the state.<sup>153</sup>
- A person who is a resident of a county care facility or who is receiving state supplementary assistance under Code chapter 249.<sup>154</sup>
- Minor pupils of the State School for the Blind, State School for the Deaf, or minor residents of other state institutions under the control of the Department of Human Services.<sup>155</sup>
- Owners or tenants of land and their juvenile children may hunt on their land and may shoot, by lawful means, ground squirrels, gophers, or woodchucks upon adjacent roads.<sup>156</sup>

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<sup>145</sup> Iowa Code § 483A.24(14).

<sup>146</sup> Iowa Code § 483A.24(14).

<sup>147</sup> Iowa Code § 481A.51.

<sup>148</sup> Iowa Code § 483A.27(1).

<sup>149</sup> Iowa Code § 483A.27(10).

<sup>150</sup> Iowa Code § 483A.1A(7)(d).

<sup>151</sup> Iowa Code § 483A.24(7).

<sup>152</sup> Iowa Code § 483A.24(8).

<sup>153</sup> Iowa Code § 483A.24(6).

<sup>154</sup> Iowa Code § 483A.24(6).

<sup>155</sup> Iowa Code § 483A.24(6).

<sup>156</sup> Iowa Code § 483A.24(1).



## Hunting and Fishing Regulation

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### B. Resident Fur Harvester Licenses.

- Fur harvester license, 16 years of age or older — \$20.50.<sup>157</sup>
- Fur harvester license, under 16 years of age — \$5.50.<sup>158</sup>
- Fur harvester licensee must pay the wildlife habitat fee of \$8. Persons who are younger than 16 or older than 65 years of age or who have permanent disabilities are not required to pay the wildlife habitat fee.<sup>159</sup>
- Required to hunt and trap fur-bearing animals. A hunting license is not required when hunting furbearers with a fur harvester license, but coyote and groundhog may be hunted with either a hunting or a fur harvester license.<sup>160</sup>
- Owners or tenants of land and their juvenile children may trap on their land without securing a fur harvester license.<sup>161</sup>
- A person participating in a licensed field trial with a dog is not required to obtain a fur harvester license.<sup>162</sup>

### C. Resident Fur Dealer Licenses.

- Annual fur dealer license — \$225.50.<sup>163</sup>
- Required for persons in the business of buying, bartering, trading, or otherwise obtaining raw hides or skins of fur-bearing animals.<sup>164</sup>

### D. Resident Game Breeder Licenses.

- Game breeder license — \$15.50.<sup>165</sup>
- Residents shall not raise or sell game or fur-bearing animals that are protected by law, except rock doves and pigeons, without obtaining a game breeder's license.<sup>166</sup>
- Except as otherwise provided by law, a resident who obtains a game breeder's license and obtains original stock from a lawful source may possess, breed, propagate, sell, and dispose of any game bird, game animal, or fur-bearing animal or any of their parts.<sup>167</sup>
- Fur-bearing animals cannot be acquired for breeding or propagation unless pen-raised for at least two successive generations.<sup>168</sup>

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<sup>157</sup> Iowa Code § 483A.1(1)(g).

<sup>158</sup> Iowa Code § 483A.1(1)(h).

<sup>159</sup> Iowa Code §§ 483A.1(1)(q), 483A.3.

<sup>160</sup> Iowa Code § 483A.5.

<sup>161</sup> Iowa Code § 483A.24(1).

<sup>162</sup> Iowa Code § 483A.24(8).

<sup>163</sup> Iowa Code § 483A.1(1)(i).

<sup>164</sup> Iowa Code §§ 481A.94, 481A.95(1).

<sup>165</sup> Iowa Code § 483A.1(1)(n).

<sup>166</sup> Iowa Code § 481A.60.

<sup>167</sup> Iowa Code § 481A.61.

<sup>168</sup> Iowa Code § 481A.61.

# Hunting and Fishing Regulation



## E. Resident Deer Hunting Licenses.

### 1. General Provisions.

- Deer hunting license — \$25.50.<sup>169</sup>
- A person hunting deer who is required to have a hunting license must obtain a deer hunting license and tag designed to be used only once, pay the \$8 wildlife habitat fee, and pay a \$1 fee for deer herd population management, including the Help Us Stop Hunger (HUSH) Program administered by the DNR. When a deer is taken, the tag must be placed on the deer and dated.<sup>170</sup>
- A resident issued an antlerless deer hunting license may purchase an additional antlerless deer hunting license for \$10.<sup>171</sup>
- Residents may purchase no more than two paid any-sex deer hunting licenses.<sup>172</sup>
- The Commission is required to establish one or more pistol or revolver seasons for hunting deer as separate firearm seasons or coinciding with other firearm deer hunting seasons. No person 16 years of age or younger is allowed to hunt deer with a pistol or revolver.<sup>173</sup>
- Paid antlerless-deer-only deer hunting licenses are available based on quotas established by the Commission for each county and are sold until quotas are reached.<sup>174</sup>
- A resident issued a deer hunting license who takes a deer is required to report to the Commission the county where the deer was taken, the season during which the deer was taken, the sex and age of the deer taken, the type of weapon used, the hunting license number of the hunter, the number of days the hunter hunted, and the total number of deer taken by the hunter.<sup>175</sup>
- A resident on active duty with the United States armed forces on authorized leave from a duty station located outside the state is not required to obtain a hunting license or a deer hunting license, but if a deer is taken the resident must immediately contact a state conservation officer to obtain a deer tag before transporting the deer. Only one military deer tag may be issued annually to a resident.<sup>176</sup>
- Special authorization to use a crossbow for deer hunting during the bow season is available for a disabled person with physical impairment of the upper extremities making the person physically incapable of shooting a bow and arrow.<sup>177</sup>

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<sup>169</sup> Iowa Code § 483A.1(1)(e).

<sup>170</sup> Iowa Code § 483A.8(1) and (2).

<sup>171</sup> Iowa Code § 483A.7(4).

<sup>172</sup> Iowa Admin. Code 571-106.6.

<sup>173</sup> Iowa Code § 481A.48(5).

<sup>174</sup> Iowa Admin. Code 571-106.6(2).

<sup>175</sup> Iowa Code § 483A.8A.

<sup>176</sup> Iowa Code § 483A.24(6); Iowa Admin. Code 571-15.10.

<sup>177</sup> Iowa Code § 481A.38(1); Iowa Admin. Code 571-15.5.



# Hunting and Fishing Regulation

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## 2. Special Resident Licenses.

### a. Youth.

- Available to a youth not over 15 years of age who possesses a valid hunter education certificate, unless otherwise eligible for a free deer hunting license — \$25.50.<sup>178</sup>
- A youth must be directly accompanied by an unarmed adult who possesses a regular hunting license and has paid the \$8 wildlife habitat fee, if the adult is so required. Only one adult may accompany each youth.<sup>179</sup>

### b. Severely Disabled.

- A resident with severe disabilities may obtain one any-sex deer hunting license to hunt deer during the youth-deer-hunting season, one any-sex deer bow hunting license, and up to three antlerless-deer-only deer hunting licenses for use during the youth- or bow-deer hunting seasons.
- Applicants for this license must possess a disabilities parking permit or provide a physician's verification of disability.<sup>180</sup>

### c. Senior Crossbow.

- A resident 70 years of age or older may be issued one special senior statewide antlerless-deer-only crossbow deer hunting license for use during the bow season.<sup>181</sup>
- A licensee must be otherwise qualified to hunt deer in this state and have a resident hunting license but need not pay the \$8 wildlife habitat fee.<sup>182</sup>
- A licensee may obtain this license in addition to a statewide antlered- or any-sex deer hunting bow license.<sup>183</sup>
- Season dates, shooting hours, limits, license quotas, and other regulations are the same as set forth by the Commission for bow-season deer hunts.<sup>184</sup>

### d. Landowner/Tenant.

- Qualified landowners and tenants of a farm unit and their family members are not required to obtain hunting licenses to hunt deer on their farm unit but are required to obtain a special, free deer hunting license valid for use only on the farm unit.<sup>185</sup>
- "Farm unit" means parcels of land which are certified by the Commission as being in tracts of two or more contiguous acres, operated as a unit for agricultural purposes, and under the lawful control of the owner or the tenant.<sup>186</sup>
- An owner of a farm unit or a member of the owner's family may be issued annually a total of two free deer hunting licenses, one antlered- or any-sex and one antlerless-deer-only license, and a tenant of a farm unit or member of the tenant's family

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<sup>178</sup> Iowa Code §§ 483A.1(1)(e), 483A.24(7), 483A.27(1); Iowa Admin. Code 571-106.10(1)(a).

<sup>179</sup> Iowa Code § 481A.38; Iowa Admin. Code 571-106.10(1)(a).

<sup>180</sup> Iowa Admin. Code 571-106.10(1)(b).

<sup>181</sup> Iowa Code § 483A.8A.

<sup>182</sup> Iowa Code § 483A.8A.

<sup>183</sup> Iowa Code § 483A.8A.

<sup>184</sup> Iowa Code § 483A.8A.

<sup>185</sup> Iowa Code § 483A.24(1) and (2).

<sup>186</sup> Iowa Code § 483A.24(2)(a)(2).



# Hunting and Fishing Regulation



may be issued annually a total of two free deer hunting licenses, one antlered- or any-sex and one antlerless-deer-only license, valid only on the farm unit.<sup>187</sup>

- Licenses are valid for use during any shotgun deer season and may be used to harvest deer in two different seasons.<sup>188</sup>
- A residents who receive a free deer hunting license must pay the \$1 fee for the purpose of deer herd population management, including assisting with the costs of the HUSH Program administered by the Commission.<sup>189</sup>
- A resident may purchase a deer hunting license for any option available to other deer hunting licensees and may also purchase two additional antlerless deer hunting licenses valid only on the farm unit for a fee of \$10 each.<sup>190</sup>
- A resident may be issued a free deer hunting license for each of two calendar quarters, valid only for hunting on the farm unit, if a deer hunting season is established in the first quarter of a calendar year that is separate from the deer hunting season that continues from the last quarter of the preceding calendar year.<sup>191</sup>
- Owners, tenants, or family members need not reside on the farm unit to qualify for a free deer hunting license to hunt on that farm unit.<sup>192</sup>
- A resident issued a free deer hunting license pursuant to the special landowner-tenant provisions must sign a statement attesting that the person qualifies as an owner, tenant, or family member of a farm unit under Code section 483A.24.<sup>193</sup>

## e. Special Season.

- The Commission may establish a special season deer hunt for antlerless deer in counties where paid antlerless-only deer hunting licenses remain available for issuance.<sup>194</sup>
- Special season deer hunting licenses are included in the quotas established by rule for each county and are available only until the quotas are filled.<sup>195</sup>
- Prior to December 15, a resident may obtain up to three paid antlerless-only deer hunting licenses for the special season regardless of how many paid or free gun or bow deer hunting licenses have already been obtained. Beginning December 15, a resident may purchase an unlimited number of special season licenses.<sup>196</sup>
- Daily bag and possession limit is one deer per license and tag.<sup>197</sup>
- Special season deer hunting licensees must have a hunting license, pay the wildlife habitat fee, and be otherwise qualified to hunt deer in this state.<sup>198</sup>

<sup>187</sup> Iowa Code § 483A.24(2)(c).

<sup>188</sup> Iowa Code § 483A.24(2)(c).

<sup>189</sup> Iowa Code § 483A.24(2)(c).

<sup>190</sup> Iowa Code § 483A.24(2)(d).

<sup>191</sup> Iowa Code § 483A.24(2)(e).

<sup>192</sup> Iowa Code § 483A.24(2)(c).

<sup>193</sup> Iowa Code § 483A.24(2)(f).

<sup>194</sup> Iowa Code § 483A.24B(1).

<sup>195</sup> Iowa Code § 483A.24B(4).

<sup>196</sup> Iowa Code § 483A.24B(3).

<sup>197</sup> Iowa Code § 483A.24B(5).

<sup>198</sup> Iowa Code § 483A.24B(6).



# Hunting and Fishing Regulation

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## F. Deer Depredation Permits.

### 1. General Provisions.

- Issued to residents who are producers of agricultural crops (e.g., corn, soybeans, hay and oats, and tree farms and forestlands under a timber management program) or producers of high-value horticultural crops (e.g., Christmas trees, fruit or vegetable crops, nursery stock, and commercially grown nuts) sustaining excessive crop damage from deer.<sup>199</sup>
- "Excessive damage" means crop losses exceeding \$1,000 in a single growing season, or the likelihood that damage will exceed \$1,000 if preventive action is not taken, or documented history of at least \$1,000 damage annually in previous years.<sup>200</sup>
- Producers must sign a depredation management agreement with the DNR identifying the type and amount of damage.<sup>201</sup>
- The goal of a depredation management plan is to reduce damage to below excessive levels within a specified time period through a combination of producer-initiated preventive measures and issuance of deer shooting permits.<sup>202</sup>
- Preventive measures for producers of typical agricultural crops may include harassment of deer with pyrotechnic and cannons, guard dogs, temporary fencing, allowing more hunters, increasing the take of antlerless deer, and other effective measures. Preventive measures for producers of high-value horticultural crops may also include permanent fencing.<sup>203</sup>

### 2. Types of Permits.

- Deer depredation licenses are for sale to residents for the regular deer hunting license fee for use during legal hunting seasons, and are available to producers of agricultural and horticultural crops. Deer taken and tagged pursuant to such a permit may be kept by the hunter.<sup>204</sup>
- Deer shooting permits are Issued at no cost to residents for shooting deer outside established hunting seasons, residents who are producers of high-value agricultural crops who cannot control damage during hunting seasons, other agricultural producers, and for use on areas such as airports where public safety may be an issue. Disposal of deer taken pursuant to such a permit must be coordinated with a local conservation officer and the antlers turned over to a conservation officer.<sup>205</sup>
- Agricultural deer depredation shooting permits are issued at no cost to resident landowners or tenants who sustain at least \$1,000 of damage to agricultural crops and cooperate with the U.S. Department of Agriculture Animal and Plant Health Inspection

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<sup>199</sup> Iowa Code § 483A.24C; Iowa Admin. Code 571-106.11(2).

<sup>200</sup> Iowa Admin. Code 571-106.11(2).

<sup>201</sup> Iowa Admin. Code 571-106.11.

<sup>202</sup> Iowa Admin. Code 571-106.11(3).

<sup>203</sup> Iowa Admin. Code 571-106.11(3).

<sup>204</sup> Iowa Admin. Code 571-106.11(4)(a).

<sup>205</sup> Iowa Admin. Code 571-106.11(4)(b) and (5).

# Hunting and Fishing Regulation



Service to reduce crop damage by deer, or have an approved DNR deer depredation plan. These permits are valid only on the farm unit where damage is occurring.<sup>206</sup>

## G. Urban Deer Control Licenses.

- Special bow hunting licenses are issued for the purpose of urban deer control to residents who are trained, volunteer hunters otherwise qualified to hunt deer in this state, have a hunting license, pay \$25.50 for the license, and pay the \$8 wildlife habitat fee. The Commission may issue additional licenses that cost \$10 as necessary to achieve urban deer control.<sup>207</sup>
- Urban deer control means deer hunting with a bow and arrow on private land in a city or county, without charge, as authorized by a city or county ordinance, for the purpose of reducing or stabilizing an urban deer population in the city or county.<sup>208</sup>
- Licenses are valid only for the dates, locations, and type of deer specified on the license.<sup>209</sup>
  - Urban deer control ordinances are not effective until approved by the DNR.<sup>210</sup>
- Urban deer control ordinances must specify how a person qualifies to participate in urban deer control and where and under what conditions urban deer control may occur.<sup>211</sup>
- The statute limits premises liability of a private landowner toward bow hunters allowed to hunt deer on the landowner's land, as authorized by a city or county urban deer control ordinance.<sup>212</sup>

## H. Resident Wild Turkey Hunting Licenses.

### 1. General Provisions.

- Wild turkey hunting license — \$22.50.<sup>213</sup>
- A resident hunting wild turkey who is required to have a hunting license must obtain a wild turkey hunting license and tag designed to be used only once and pay the wildlife habitat fee. When wild turkey is taken, the tag must be placed on the turkey and dated.<sup>214</sup>
- Residents are not required to have a special wild turkey hunting license to hunt wild turkey on a hunting preserve licensed under Code chapter 484B.<sup>215</sup>
- Residents on active duty with the United States armed forces on authorized leave from a duty station located outside the state are not required to obtain a hunting license or a wild turkey hunting license, but if a wild turkey is taken, the person must

<sup>206</sup> Iowa Admin. Code 571-106.11(4)(c).

<sup>207</sup> Iowa Code § 461C.8(3).

<sup>208</sup> Iowa Code § 461C.2(3A).

<sup>209</sup> Iowa Code § 461C.8(3).

<sup>210</sup> Iowa Code § 461C.8(4).

<sup>211</sup> Iowa Code § 461C.8(2).

<sup>212</sup> Iowa Code ch. 461C.

<sup>213</sup> Iowa Code § 483A.1(1)(f).

<sup>214</sup> Iowa Code § 483A.7.

<sup>215</sup> Iowa Code § 483A.24(10).



# Hunting and Fishing Regulation

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immediately contact a state conservation officer to obtain a wild turkey tag to transport the turkey. Only one military turkey tag may be issued annually to a person.<sup>216</sup>

- Wild turkey hunting licenses are issued for either the spring or fall turkey hunting season.<sup>217</sup>
- Possession and season limit for wild turkey spring hunting is one bearded (male) turkey per license.<sup>218</sup>
- Possession and season limit for wild turkey fall hunting is one turkey of either sex per license.<sup>219</sup>

## 2. Special Resident Licenses.

### a. Youth.

- Youth 15 years old or younger may obtain a special youth spring season wild turkey hunting license for \$22.50 unless otherwise eligible for a free wild turkey hunting license, such as a free landowner-tenant wild turkey hunting license. Youth are not required to obtain a hunting license to hunt wild turkey.<sup>220</sup>
- Each youth 15 years old or younger hunting wild turkey must be directly accompanied by an unarmed adult who possesses a valid wild turkey spring hunting license and a hunting license, and pays the wildlife habitat fee, if so required.<sup>221</sup>

### b. Landowner-Tenant.

- Qualified resident landowners, tenants, and their family members are not required to obtain hunting licenses to hunt wild turkeys on a farm unit but are required to obtain special, free wild turkey hunting licenses valid for use only on the farm unit, except no special license is necessary to hunt wild turkey on a hunting preserve licensed under Code chapter 484B.<sup>222</sup>
- "Farm unit" means parcels of land which are certified by the Commission as being in tracts of two or more contiguous acres, operated as a unit for agricultural purposes, and under the lawful control of the owner or the tenant.<sup>223</sup>
- The owner of a farm unit or a member of the owner's family may be issued a total of two free wild turkey hunting licenses, i.e., one free wild turkey hunting license for the spring turkey season and one free wild turkey hunting license for the fall turkey season, valid only for use on the farm unit; and the tenant of a farm unit or a member of the tenant's family may be issued a total of two free wild turkey hunting licenses, i.e., one free wild turkey hunting license for the spring turkey season and one free wild turkey hunting license for the fall turkey season, valid only for use on the farm unit.<sup>224</sup>

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<sup>216</sup> Iowa Code § 483A.24(6); Iowa Admin. Code 571-15.10.

<sup>217</sup> Iowa Admin. Code 571-98.1, 571-99.2.

<sup>218</sup> Iowa Admin. Code 571-98.1.

<sup>219</sup> Iowa Admin. Code 571-99.2.

<sup>220</sup> Iowa Code § 483A.24(7); Iowa Admin. Code 571-98.6.

<sup>221</sup> Iowa Code § 483A.24(7); Iowa Admin. Code 571-98.6.

<sup>222</sup> Iowa Code § 483A.24(1).

<sup>223</sup> Iowa Code § 483A.24(2)(a).

<sup>224</sup> Iowa Code § 483A.24(2)(b); Iowa Admin. Code 571-98.5(7), 571-99.11(7).

# Hunting and Fishing Regulation



- Residents issued a free wild turkey hunting license pursuant to the special landowner-tenant provisions must sign a statement attesting that the person qualifies as an owner, tenant, or family member of a farm unit under Code section 483A.24.<sup>225</sup>
- An owner, tenant, or family member need not reside on the farm unit to qualify for a free wild turkey hunting license and the license issued is equivalent to the least restrictive license issued under Code section 481A.38.<sup>226</sup>

## **I. Resident Falconry Licenses.**

### **1. General Provisions.**

- Falconry license — \$20.50.<sup>227</sup>
- Residents with a valid falconer's permit are allowed to take, transport, and possess certain raptors during the time and in the manner permitted under the federal Migratory Bird Treaty Act of 1918 and pursuant to rules adopted by the Commission.<sup>228</sup>

### **2. Classes of Resident Licenses.**

#### **a. Apprentice Falconer.**

- Must be at least 14 years old and be sponsored for the first two years by a general or master falconer licensee.
- Allowed to possess only one type of raptor, i.e., a red-tailed hawk, at a time, obtain only one replacement hawk per year, and not possess nestling or fledgling birds.

#### **b. General Falconer.**

- Must be at least 18 years old and have at least two years of field experience at the apprentice level.
- Allowed to possess not more than two raptors at a time, and obtain only one replacement raptor per year.

#### **c. Master Falconer.**

- Must have at least five years of experience at the general level.
- Allowed to possess no more than three raptors at a time, and obtain only two replacement raptors per year.<sup>229</sup>

## **J. Resident Migratory Game Bird Fees.**

### **1. General Provisions.**

- Migratory game bird fee — \$8.<sup>230</sup>
- Migratory game birds are any wild goose, brant, wild duck, snipe, rail, woodcock, or coot.<sup>231</sup>

<sup>225</sup> Iowa Code § 483A.24(2)(f).

<sup>226</sup> Iowa Code § 483A.24(2)(b).

<sup>227</sup> Iowa Code § 483A.1(1)(p).

<sup>228</sup> Iowa Code § 481A.48(3); Iowa Admin. Code 571-101.1.

<sup>229</sup> Iowa Admin. Code 571-101.1.

<sup>230</sup> Iowa Code § 483A.1(1)(r).

<sup>231</sup> Iowa Code § 484A.1.



# Hunting and Fishing Regulation

- Residents who are 16 years of age or older must obtain a hunting license, pay the \$8 wildlife habitat fee, pay the \$8 migratory game bird fee, and obtain the federal migratory bird hunting and conservation stamp, commonly called a duck stamp, before hunting or taking any migratory game bird in this state.<sup>232</sup>

## 2. Limitations.

- Iowa law prohibits taking or possessing any migratory bird other than those which are specified by statute including ducks and geese<sup>233</sup> and designated raptors and crows.<sup>234</sup>
- Residents hunting migratory game birds must register with the Harvest Information Program (HIP) and supply the hunter's name, address, number of migratory birds taken during the previous year, and other information as requested by the Commission.<sup>235</sup>

## VII.

N

### Nonresident Hunting and Trapping Licenses and Fees.

#### A. Nonresident Hunting Licenses.

##### 1. License Required.

- Annual hunting license for person 18 years of age or older — \$80.<sup>236</sup>
- Annual hunting license for person under 18 years of age — \$30.<sup>237</sup>
- Nonresident licensees must also pay the wildlife habitat fee of \$8.<sup>238</sup>
- Nonresidents born after January 1, 1967, cannot obtain a hunting license without satisfactory completion of a hunter safety and ethics education course approved by the Commission. A person 11 years of age may complete the course and be issued a certificate of completion valid at age 12.<sup>239</sup>
- Nonresident hunting licensees under 18 years of age must exhibit a valid certificate of completion of a state-approved hunter safety and ethics education course upon the request of a DNR officer.<sup>240</sup>

##### 2. License Not Required.

- Nonresidents participating in a licensed field trial with a dog.<sup>241</sup>
- Nonresident owners or tenants of land and their juvenile children hunting on their own land and shooting, by lawful means, ground squirrels, gophers, or woodchucks upon adjacent roads.<sup>242</sup>

<sup>232</sup> Iowa Code § 484A.2; Iowa Admin. Code 571-92.2.

<sup>233</sup> Iowa Code § 481A.48(1).

<sup>234</sup> Iowa Code § 481A.48(3).

<sup>235</sup> Iowa Admin. Code 571-92.7.

<sup>236</sup> Iowa Code § 483A.1(2)(c).

<sup>237</sup> Iowa Code § 483A.1(2)(d).

<sup>238</sup> Iowa Code §§ 483A.1(2)(q), 483A.3.

<sup>239</sup> Iowa Code § 483A.27.

<sup>240</sup> Iowa Code § 483A.27(10).

<sup>241</sup> Iowa Code § 483A.24(8).

<sup>242</sup> Iowa Code § 483A.24(1).

# Hunting and Fishing Regulation



## B. Nonresident Fur Harvester Licenses.

- Fur harvester license — \$200.<sup>243</sup>
- Nonresidents required to have a fur harvester license must also pay the wildlife habitat fee of \$8.<sup>244</sup>
- Required to hunt and trap any fur-bearing animal. A hunting license is not required when hunting furbearers with this license, but coyote and groundhog may be hunted with either a hunting or a fur harvester license.<sup>245</sup>
- Owners or tenants of land and their juvenile children may trap on their own land without securing a fur harvester license to do so.<sup>246</sup>
- Persons with a dog entered in a licensed field trial are not required to have a fur harvester license.<sup>247</sup>

## C. Nonresident Fur Dealer Licenses.

- Annual fur dealer license — \$501. Residents of another state may pay a lower amount than provided by statute if the state has a reciprocity agreement with this state.<sup>248</sup>
- Required for any person in the business of buying, bartering, trading, or otherwise obtaining raw hides or skins of fur-bearing animals.<sup>249</sup>
- Nonresident fur dealers may purchase permits to operate at locations other than the location specified on the fur dealer's license.<sup>250</sup>

## D. Nonresident Game Breeder Licenses.

- Game breeder license — \$26.<sup>251</sup>
- A nonresident shall not raise or sell game or fur-bearing animals that are protected by law, except rock doves and pigeons, without obtaining a game breeder's license.<sup>252</sup>
- Except as otherwise provided by law, a person who obtains a game breeder's license and whose original stock is obtained from a lawful source may possess, breed, propagate, sell, and dispose of any game bird, game animal, or fur-bearing animal or any of their parts.<sup>253</sup>
- Fur-bearing animals cannot be acquired for breeding or propagation unless pen-raised for at least two successive generations.<sup>254</sup>

<sup>243</sup> Iowa Code § 483A.1(2)(i).

<sup>244</sup> Iowa Code §§ 483A.1(2)(r), 483A.3.

<sup>245</sup> Iowa Code § 483A.5.

<sup>246</sup> Iowa Code § 483A.24(1).

<sup>247</sup> Iowa Code § 483A.24(8).

<sup>248</sup> Iowa Code §§ 481A.95(2), 483A.1(2)(j).

<sup>249</sup> Iowa Code §§ 481A.94, 481A.95(1).

<sup>250</sup> Iowa Code § 481A.95(1).

<sup>251</sup> Iowa Code § 483A.1(2)(o).

<sup>252</sup> Iowa Code § 481A.60.

<sup>253</sup> Iowa Code § 481A.61(1).

<sup>254</sup> Iowa Code § 481A.61(2).



# Hunting and Fishing Regulation

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## E. Nonresident Deer Hunting Licenses.

### 1. General Provisions.

- Nonresident deer hunting license, antlered or any sex deer — \$220.<sup>255</sup>
- Nonresidents purchasing an antlered- or any-sex deer hunting license are also required to purchase an antlerless-deer-only deer hunting license at the same time — \$100.<sup>256</sup>
- Nonresident deer hunting license, antlerless-deer-only — \$150.<sup>257</sup>
- Nonresidents hunting deer must purchase a nonresident hunting license, obtain a nonresident deer hunting license and tag designed to be used only once, pay the wildlife habitat fee, and pay a \$1 fee for the purpose of deer herd population management, including assisting with the cost of the HUSH Program administered by the DNR. When a deer is taken, the tag must be placed on the deer and dated.<sup>258</sup>
- The Commission is limited by statute to issuing no more than 6,000 antlered- or any-sex nonresident deer hunting licenses each year and no more than 35 percent of the licenses issued can be bow licenses. After issuing all of the antlered- or any-sex licenses allowed, the Commission may decide how many nonresident antlerless-deer-only deer hunting licenses to make available.<sup>259</sup>
- The Commission allocates all nonresident deer hunting licenses among zones based on populations of deer. Nonresidents may request one or more hunting zones and receive a refund of license fees paid if the request cannot be fulfilled.<sup>260</sup>
- Nonresidents cannot obtain a deer hunting license without first exhibiting proof of successful completion of a hunter safety and ethics education program or its equivalent.<sup>261</sup>
- The Commission may issue additional antlerless deer hunting licenses to nonresidents who have been issued an antlerless deer hunting license and may specify the number, season, and zone of the licenses available.<sup>262</sup>
- Nonresidents issued a deer hunting license who take a deer are required to report to the Commission the county where the deer was taken, the season during which the deer was taken, the sex and age of the deer taken, the type of weapon used, the hunting license number of the hunter, the number of days the hunter hunted, and the total number of deer taken by the hunter.<sup>263</sup>

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<sup>255</sup> Iowa Code § 483A.1(2)(e).

<sup>256</sup> Iowa Code §§ 483A.1(2)(f), 483A.8(3)(b).

<sup>257</sup> Iowa Code § 483A.1(2)(g).

<sup>258</sup> Iowa Code §§ 483A.8(1), 483A.8(3)(a).

<sup>259</sup> Iowa Code § 483A.8(3)(c).

<sup>260</sup> Iowa Code § 483A.8(3)(d).

<sup>261</sup> Iowa Code § 483A.8(3)(d).

<sup>262</sup> Iowa Code § 483A.8(4).

<sup>263</sup> Iowa Code § 483A.8A.



# Hunting and Fishing Regulation



## 2. Special Nonresident Licenses.

### a. Landowner.

- A nonresident landowner may apply for one of the 6,000 antlered- or any-sex deer hunting licenses available, but if unsuccessful in securing one, is given preference for one of the antlerless-deer-only nonresident deer hunting licenses available. A nonresident landowner obtaining such a license must pay the fee for a nonresident antlerless-deer-only deer hunting license and the license is valid only for deer hunting on the nonresident's land.<sup>264</sup>
- If one or more parcels of land have multiple nonresident owners, only one owner is eligible to purchase a nonresident antlerless-deer-only deer hunting license.<sup>265</sup>
- If a nonresident jointly owns land with a resident, the nonresident is not given preference for a nonresident antlerless-deer-only deer hunting license.<sup>266</sup>
- Nonresidents applying for nonresident antlerless-deer-only deer hunting licenses may be required to supply proof of land ownership to the DNR.<sup>267</sup>
- Nonresidents who do not own land in Iowa may purchase antlerless-deer-only deer hunting licenses beginning on the 15<sup>th</sup> day after antlerless-deer-only deer hunting licenses are available to landowners.<sup>268</sup>

### b. Holiday Season.

- Nonresident antlerless-deer-only deer hunting licenses are available for issuance annually for \$50, valid for use beginning on December 24 and ending at sunset on January 2.
- Nonresidents obtaining a license must be otherwise qualified to hunt deer in this state, have a nonresident hunting license, pay the wildlife habitat fee, and pay the \$1 fee for deer herd population management, including assisting with the cost of the HUSH Program administered by the Commission.<sup>269</sup>

### c. Economic Development.

- Up to 25 nonresident deer hunting licenses are available for allocation, in addition to other nonresident deer hunting licenses authorized in Code section 483A.8, as requested by a majority of a committee consisting of the Majority Leader of the Senate, Speaker of the House of Representatives, and Director of the Department of Economic Development, or their designees.<sup>270</sup>
- Licenses are issued to allow state officials and local development groups to promote the state and its natural resources to nonresident guests and dignitaries.<sup>271</sup>

<sup>264</sup> Iowa Code § 483A.8(3) and (5).

<sup>265</sup> Iowa Code § 483A.8(5).

<sup>266</sup> Iowa Code § 483A.8(5).

<sup>267</sup> Iowa Code § 483A.8(5).

<sup>268</sup> Iowa Admin. Code 571-94.8(2).

<sup>269</sup> Iowa Code § 483A.8(6).

<sup>270</sup> Iowa Code § 483A.24(3).

<sup>271</sup> Iowa Code § 483A.24(3).



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## d. Special Season.

- The Commission may establish a special-season deer hunt for antlerless deer in counties where paid antlerless-deer-only deer hunting licenses remain available for issuance.<sup>272</sup>
- Special-season deer hunting licenses issued are included in the quotas established by the Commission for each county and are available in each county only until the quota for that county is filled.<sup>273</sup>
- Beginning December 15, a nonresident may purchase an unlimited number of special-season licenses.<sup>274</sup>

## e. Severely Disabled Nonresidents.

- Nonresidents with severe disabilities that limit or impair a person's ability to walk may obtain a nonresident deer hunting license to participate in a special deer hunting season for severely disabled persons.<sup>275</sup>
- Nonresidents applying for this license must file with the DNR a copy of a disabilities parking permit issued by a state Department of Transportation or an Iowa physician verification-of-disability form.<sup>276</sup>
- Licenses for this special season are issued from the quotas otherwise established for the issuance of nonresident deer hunting licenses and can be used only in the hunting zone indicated on the license.<sup>277</sup>

## F. Nonresident Wild Turkey Hunting Licenses.

### 1. General Provisions.

- Wild turkey hunting license — \$100.<sup>278</sup>
- Nonresidents hunting wild turkey must obtain a nonresident hunting license and a nonresident wild turkey hunting license and tag designed to be used only once and pay the wildlife habitat fee of \$8.<sup>279</sup> When a wild turkey is taken, the tag must be placed on the turkey and dated.<sup>280</sup>

### 2. Limitations.

- The Commission is limited by statute to issuing no more than 2,300 nonresident wild turkey hunting licenses each year, of which 150 are valid for hunting with muzzleloading shotguns only.<sup>281</sup>
- The Commission allocates all nonresident wild turkey hunting licenses among zones based on the populations of wild turkeys.<sup>282</sup>

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<sup>272</sup> Iowa Code § 483A.24B.

<sup>273</sup> Iowa Code § 483A.24B.

<sup>274</sup> Iowa Code § 483A.24B.

<sup>275</sup> Iowa Admin. Code 571-94.10.

<sup>276</sup> Iowa Admin. Code 571-94.10.

<sup>277</sup> Iowa Admin. Code 571-94.10.

<sup>278</sup> Iowa Code § 483A.1(2)(h).

<sup>279</sup> Iowa Code § 483A.1(2)(r).

<sup>280</sup> Iowa Code § 483A.7(2).

<sup>281</sup> Iowa Code § 483A.7(3).

<sup>282</sup> Iowa Code § 483A.7(3).

# Hunting and Fishing Regulation



- Nonresidents cannot obtain a wild turkey hunting license without exhibiting proof of successful completion of a hunter safety and ethics education program.<sup>283</sup>
- Nonresidents are not required to have a special wild turkey license to hunt wild turkey on a hunting preserve licensed under Code chapter 484B.<sup>284</sup>
- Up to 25 nonresident wild turkey hunting licenses are available for allocation, in addition to other nonresident wild turkey hunting licenses authorized in Code section 483A.8, as requested by a majority of a committee consisting of the Majority Leader of the Senate, Speaker of the House of Representatives, and Director of the Department of Economic Development, or their designees, to allow state officials and local development groups to promote the state and its natural resources to nonresident guests and dignitaries.<sup>285</sup>
- Nonresidents may hunt wild turkey only during the spring season and may obtain only one wild turkey spring hunting license. No nonresident wild turkey hunting licenses are issued for the fall season.<sup>286</sup>
- Possession and season limit for nonresident wild turkey spring hunting is one bearded (male) turkey per license.<sup>287</sup>

## **G. Nonresident Falconry Licenses.**

### **1. General Provisions.**

- Falconry license — \$26.<sup>288</sup>
- Nonresidents with a valid falconer's permit are allowed to take, transport, and possess certain raptors from the family Accipitridae (excluding the bald eagle), the family Falconidae, and the great horned owl of the family Strigidae during the time and in the manner permitted under the federal Migratory Bird Treaty Act of 1918 and pursuant to rules adopted by the Commission.<sup>289</sup>
- Nonresidents may apply for issuance of a nonresident raptor trapping permit that provides for taking raptors if the applicant's resident state issues nonresident raptor trapping permits or licenses or otherwise provides for taking raptors by nonresidents. Fees for such permits are reciprocal to the fee charged by the applicant's resident state or, if that state does not provide for a nonresident raptor trapping fee, the Iowa nonresident raptor trapping fee is \$50.<sup>290</sup>
- Nonresident raptor trapping permits are issued only to general or master class falconers.<sup>291</sup>

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<sup>283</sup> Iowa Code § 483A.7(3).

<sup>284</sup> Iowa Code § 483A.24(10).

<sup>285</sup> Iowa Code § 483A.24(4).

<sup>286</sup> Iowa Admin. Code 571-98.9.

<sup>287</sup> Iowa Admin. Code 571-98.9.

<sup>288</sup> Iowa Code § 483A.1(2)(q).

<sup>289</sup> Iowa Code § 481A.48(3); Iowa Admin. Code 571-101.1.

<sup>290</sup> Iowa Admin. Code 571-101.3(8).

<sup>291</sup> Iowa Admin. Code 571-101.3(8).



# Hunting and Fishing Regulation

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- Nonresidents are limited to trapping only the raptor species of red-tailed hawk, American kestrel, and great horned owl.<sup>292</sup>

## 2. Classes of Nonresident Licenses.

### a. Apprentice Falconer.

- Must be at least 14 years old and be sponsored for the first two years by a general or master falconer licensee.
- Can possess only one type of raptor, i.e., a red-tailed hawk, at a time, obtain only one replacement raptor per year, and not possess nestling or fledgling birds.

### b. General Falconer.

- Must be at least 18 years old and have at least two years of field experience at the apprentice level.
- Can possess not more than two raptors at a time, and obtain only one replacement raptor per year.

### c. Master Falconer.

- Must have at least five years of experience at the general level.
- Can possess no more than three raptors at a time, and obtain only two replacement raptors per year.<sup>293</sup>

## H. Nonresident Migratory Game Bird Fees.

### 1. General Provisions.

- Migratory game bird fee — \$8.<sup>294</sup>
- Migratory game birds are any wild goose, brant, wild duck, snipe, rail, woodcock, or coot.<sup>295</sup>
- Nonresidents who are 16 years of age or older must have a hunting license, pay the wildlife habitat fee, pay the migratory game bird fee, and obtain the federal migratory bird hunting and conservation stamp, commonly called a duck stamp, before hunting or taking any migratory game bird in this state.<sup>296</sup>

### 2. Limitations.

- Iowa law prohibits taking or possessing any migratory bird other than those which are specified by statute including ducks and geese<sup>297</sup> and designated raptors and crows.<sup>298</sup>
- Nonresidents hunting migratory game birds must register with the Harvest Information Program (HIP) and supply the hunter's name, address, number of migratory birds taken during the previous year, and other information requested by the Commission.<sup>299</sup>

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<sup>292</sup> Iowa Admin. Code 571-101.3(8).

<sup>293</sup> Iowa Admin. Code 571-101.1.

<sup>294</sup> Iowa Code § 483A.1(2)(s).

<sup>295</sup> Iowa Code § 484A.1.

<sup>296</sup> Iowa Code § 484A.2; Iowa Admin. Code 571-92.2.

<sup>297</sup> Iowa Code § 481A.48(1).

<sup>298</sup> Iowa Code § 481A.48(3).

<sup>299</sup> Iowa Admin. Code 571-92.7.



## VIII.

### unting Preserves.

#### A. Hunting Preserves — Code Chapter 484B.

##### 1. General Requirements.

- "Hunting preserve" for purposes of Code chapter 484B means property and facilities either privately owned or leased for holding, rearing, releasing, or processing captive-raised game for the purpose of hunting for a fee over an extended season.<sup>300</sup>
- Hunting preserves are regulated by the DNR.<sup>301</sup>
- Game animals which can be hunted on a hunting preserve are either "game birds," which are pen-reared birds of the family gallinae (wild turkeys, grouse, pheasants, and quail) and mallard ducks, or pen-reared ungulates, which are hoofed, nondomesticated mammals other than livestock, known as "big game." Pen-reared animals are game birds and animals from captive populations.<sup>302</sup>

##### 2. Inspection Requirements.

Persons wishing to operate a hunting preserve must obtain an annual operator's license costing \$200 and submit to an inspection showing that the proposed preserve meets the following specified requirements.<sup>303</sup>

- Is a contiguous tract of land with area of not less than 320 acres and not more than 2,560 acres, owned or controlled by lease or otherwise, for five or more years.
- Total area of all licensed hunting preserves, including the proposed hunting preserve, does not exceed 3 percent of the land area of the county.
- Game birds and ungulates released on the hunting preserve will not be detrimental to wildlife.
- Proposed hunting preserve will not interfere with normal activities of migratory birds.

##### 3. Other Requirements.

- Licensed hunting preserves are required to be identified as such with boundary signs and enclosed by "deer-proof" boundary fences that contain all released ungulates and exclude all ungulates which are the property of the state.<sup>304</sup>
- Hunting preserve season for taking game birds or ungulates is September 1 through March 31 of the succeeding year, except a hunting preserve may establish the hunting season for nonnative, pen-reared ungulates on the hunting preserve.<sup>305</sup>
- Persons hunting game birds or ungulates on a hunting preserve must obtain an Iowa hunting license, or an annual hunting preserve license for \$5, valid only for use on a hunting preserve, and pay the wildlife habitat fee.<sup>306</sup>

<sup>300</sup> Iowa Code § 484B.1(5).

<sup>301</sup> Iowa Code § 484B.3.

<sup>302</sup> Iowa Code § 484B.1(4) and (9); Iowa Admin. Code 571-112.1.

<sup>303</sup> Iowa Code § 484B.4.

<sup>304</sup> Iowa Code § 484B.5; Iowa Admin. Code 571-112.4 and 571-112.5.

<sup>305</sup> Iowa Code § 484B.10(1).



# Hunting and Fishing Regulation

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- Each game bird and ungulate taken by hunters upon a licensed hunting preserve must be tagged with a hunting preserve transportation tag prior to removal from the hunting preserve.<sup>307</sup>
- Privately owned animals defined as "farm deer" are considered livestock, are not subject to the provisions of Code chapter 484B, and are under the jurisdiction of the Iowa Department of Agriculture and Land Stewardship.<sup>308</sup> "Farm deer" means those animals commonly referred to as fallow deer, red deer or elk, whitetail, mule deer, or sika.<sup>309</sup> "Farm deer" does not include whitetail deer which are kept on a hunting preserve under Code chapter 484C.<sup>310</sup>

## **B. Whitetail Hunting Preserves — Code Chapter 484C.**

### **1. General Requirements.**

- "Hunting preserve," for purposes of Code chapter 484C, means land where a landowner keeps preserve whitetail deer as part of a business whose purpose is to provide persons with the opportunity to hunt the deer.<sup>311</sup> "Preserve whitetail" are whitetail deer which are kept on a hunting preserve.<sup>312</sup>
- Whitetail hunting preserves are regulated by the DNR.<sup>313</sup>
- A landowner is not allowed to own whitetail deer unless the deer are kept as farm deer subject to the provisions of Code chapter 170 or as preserve whitetail subject to the provisions of Code chapter 484C.<sup>314</sup>
- A whitetail hunting preserve must include at least 320 contiguous acres enclosed by a fence and posted with signs certified by the DNR.<sup>315</sup>
- A landowner operating a whitetail hunting preserve must register annually with the DNR and pay an annual registration fee not exceeding \$350.<sup>316</sup>
- A landowner is required to notify the DNR before releasing whitetail deer on the preserve.<sup>317</sup>
- Whitetail deer regulated as farm deer may be transported to a whitetail hunting preserve and are considered preserve whitetail upon their release onto the whitetail hunting preserve.<sup>318</sup>
- A landowner operating a whitetail hunting preserve must keep required records and file annual reports describing the preserve's operations.<sup>319</sup>

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<sup>306</sup> Iowa Code § 484B.10(2).

<sup>307</sup> Iowa Code §§ 484B.8, 484B.9.

<sup>308</sup> Iowa Code § 170.1A.

<sup>309</sup> Iowa Code § 170.1(4)(a).

<sup>310</sup> Iowa Code § 170.1(4)(b).

<sup>311</sup> Iowa Code § 484C.1(5).

<sup>312</sup> Iowa Code § 484C.1(7).

<sup>313</sup> Iowa Code § 484C.2.

<sup>314</sup> Iowa Code § 484C.2.

<sup>315</sup> Iowa Code §§ 484C.5, 484C.6.

<sup>316</sup> Iowa Code § 484C.7.

<sup>317</sup> Iowa Code § 484C.8.

<sup>318</sup> Iowa Code § 484C.8(3).

<sup>319</sup> Iowa Code § 484C.9.

# Hunting and Fishing Regulation



- Preserve whitetail taken on a hunting preserve must be tagged with a DNR transportation tag and accompanied by a bill of sale prior to removal from the whitetail hunting preserve.<sup>320</sup>
- Preserve whitetail purchased, propagated, confined, released, or sold by a hunting preserve must be free of reportable diseases for wildlife, poultry, or livestock.<sup>321</sup>

## 2. Exceptions to Requirements.

A whitetail hunting preserve may include fewer than 320 enclosed acres if any of the following applies:

- The hunting preserve includes at least 160 contiguous acres and is granted a waiver by the Commission.<sup>322</sup>
- The hunting preserve operated as a business on January 1, 2005.<sup>323</sup>
- The hunting preserve was not operated as a business on January 1, 2005, but had at least 100 contiguous acres and a fence certified by the DNR no later than September 1, 2005.<sup>324</sup>

## IX. Enforcement.

### A. DNR Law Enforcement Bureau.

#### 1. Powers.

- The DNR law enforcement bureau employs full-time conservation officers to enforce all state laws and rules and regulations of the Commission.<sup>325</sup> Temporary conservation officers employed have all powers of peace officers to enforce chapters relating to jurisdiction of the Commission and the trespass laws.<sup>326</sup>
- Full-time conservation officers generally have the same powers as those conferred on peace officers to enforce all state laws and apprehend violators.<sup>327</sup>
- The director of the DNR or any peace officer can seize, with or without a warrant, any animals illegally taken and relinquish them to a representative of the Commission for disposal.<sup>328</sup>
- Search warrants can be issued upon a finding of probable cause by a court with jurisdiction of any offense related to the illegal taking, possession, shipping, hiding, or concealment of animals or furs.<sup>329</sup>
- Possession of fish, birds, birds' nests, eggs, plumage, or other animals illegally taken; possession of the foregoing at a time or place where such possession is unlawful, or possession of equipment or means of taking such fish, birds, or animals where the

<sup>320</sup> Iowa Code § 484C.10.

<sup>321</sup> Iowa Code § 484C.12.

<sup>322</sup> Iowa Code § 484C.5(1).

<sup>323</sup> Iowa Code § 484C.5(2).

<sup>324</sup> Iowa Code § 484C.5(3).

<sup>325</sup> Iowa Code § 456A.13.

<sup>326</sup> Iowa Code § 456A.14.

<sup>327</sup> Iowa Code § 456A.13.

<sup>328</sup> Iowa Code § 481A.12.

<sup>329</sup> Iowa Code § 481A.13.



# Hunting and Fishing Regulation

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possession or use of the equipment is prohibited, is presumptive evidence of a violation of Code chapter 481A.<sup>330</sup>

## 2. Prosecution.

- The Iowa Attorney General is charged with giving opinions on questions of law arising under Code chapter 481A concerning wildlife conservation.
- All county attorneys in the state are charged with prosecuting criminal violations of Code chapter 481A.<sup>331</sup>

## 3. Venue Information.

- Venue for prosecution of violations is the county in which fish, birds, birds' nests, eggs, or plumage, or other animals protected by Code chapter 481A, were unlawfully taken, bought, sold, or shipped, received, transported, or found in the possession of any person.<sup>332</sup>
- Multiple violations of Code chapter 481A may be charged in one information as separate counts.<sup>333</sup>

## 4. Judgment.

- Upon a conviction of the unlawful taking of fish, game, or fur-bearing animals, the court shall enter judgment in favor of the state for liquidated damages. The prosecutor and the Commission have the duty to collect the damages by execution or otherwise and to remit the moneys collected for credit to the state Fish and Game Protection Fund.
- Return of uninjured fish, game, or fur-bearing animals constitutes discharge of the liquidated damages.<sup>334</sup>

## 5. Presumption of Ownership.

Wildlife taken in violation of law is conclusively presumed to be owned by the state.<sup>335</sup>

## B. Criminal Penalties.

### 1. Specific Penalties.

Some penalties are specified in individual statutes. For example:

- Failure to report a hunting accident involving a firearm is a simple misdemeanor.<sup>336</sup>
- Taking a predominately white whitetail deer is a simple misdemeanor.<sup>337</sup>
- Unlawfully buying or selling wildlife is a serious misdemeanor.<sup>338</sup>

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<sup>330</sup> Iowa Code § 481A.37.

<sup>331</sup> Iowa Code § 481A.35.

<sup>332</sup> Iowa Code § 481A.36.

<sup>333</sup> Iowa Code § 481A.36.

<sup>334</sup> Iowa Code § 481A.131.

<sup>335</sup> Iowa Code § 481A.3.

<sup>336</sup> Iowa Code § 481A.18.

<sup>337</sup> Iowa Code § 481A.124.

<sup>338</sup> Iowa Code § 481A.136.



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- Intentional interference with lawful hunting, fishing, or fur harvesting is a simple or serious misdemeanor based on the number of violations.<sup>339</sup>
- Taking a deer, antelope, moose, buffalo, or elk with a prohibited weapon is punishable as a simple misdemeanor with assessment of a fine of \$100 for each offense committed while taking an animal with the prohibited weapon.<sup>340</sup>
- Falsely attesting that the person qualifies for a landowner/tenant hunting license is punishable as a simple misdemeanor with license revocation and no new hunting license issued for one year.<sup>341</sup>

## 2. Scheduled Penalties.

Scheduled fines vary in amounts for violation of specific statutes.<sup>342</sup>

## 3. No Penalty Specified.

- Violation of any provision of Code chapter 481A or any rule of the Commission with no specified punishment is a simple misdemeanor with assessment of a minimum fine of \$20 for each offense. Each animal, nest, egg, or plumage wrongly taken constitutes a separate offense.<sup>343</sup>
- Violation of any provision of Code chapter 483A with no punishment otherwise specified in Code section 805.8B(3) is a scheduled violation with a fine of \$100 under Code section 805.8B(3)(e).<sup>344</sup>

## C. Civil Penalties.

### 1. Liquidated Damages.

#### a. Assigned Value of Animal Illegally Taken.

In addition to criminal penalties for the unlawful taking of an animal, persons convicted of such an offense must reimburse the state for the value of certain specified animals taken as follows:<sup>345</sup>

- Elk, antelope, buffalo, or moose — \$2,500.
- Wild turkey — \$200.
- Bird, animal, or pelt not otherwise specified — \$50.
- Fish, reptile, mussel, or amphibian — \$15.
- Beaver, mink, otter, red or gray fox, or raccoon — \$200.
- An animal classified by the Commission as an endangered or threatened species — \$1,000.
- A deer without antlers, a swan, or a crane — \$1,500.

<sup>339</sup> Iowa Code § 481A.125.

<sup>340</sup> Iowa Code § 481A.32.

<sup>341</sup> Iowa Code § 483A.24(2).

<sup>342</sup> Iowa Code § 805.8B(3).

<sup>343</sup> Iowa Code § 481A.32.

<sup>344</sup> Iowa Code § 483A.42.

<sup>345</sup> Iowa Code § 481A.130.



# Hunting and Fishing Regulation

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## b. Antlered Deer Illegally Taken.

The value of an antlered deer illegally taken is based on the Boone and Crockett Club's net scoring system for whitetail deer:<sup>346</sup>

- 150 points or less — \$2,000 to \$5,000 plus 80 hours of community service, or \$4,000 to \$10,000.
- More than 150 points — \$5,000 to \$10,000 plus 80 hours of community service, or \$10,000 to \$20,000.

### 2. Restitution.

Persons liable for polluting any water of the state are also liable to pay restitution for injury caused to wild animal by the pollution.<sup>347</sup>

### 3. Property Seized as Public Nuisance.

- Any property used to violate a rule of the Commission or a provision of Code chapter 481A (Wildlife Conservation), 481B (Endangered Plants and Wildlife), 482 (Commercial Fishing), 484A (Migratory Game Birds), or 484B (Hunting Preserves) is a public nuisance and may be condemned by the state.<sup>348</sup>
- After notice and hearing, title to such property is transferred by court order to the state for use by the state or for sale, with the sale proceeds deposited in the state Fish and Game Protection Fund.
- DNR holds an annual public sale of seized property, including items such as legal weapons seized and furs.<sup>349</sup>

### 4. Suspension or Revocation of Hunting and Fishing Licenses.

- Persons assessed liquidated damages pursuant to Code section 481A.130 must surrender all licenses, certificates, and permits to hunt, fish, or trap until the assessed damages and any accrued interest are paid.<sup>350</sup>
- The suspension or revocation of licenses issued by the DNR is determined by a point system which weighs the seriousness of the violation.<sup>351</sup> The point system assigns values to convictions for various offenses and the term of suspension or revocation is determined by the total points accumulated during any consecutive three-year period.<sup>352</sup>
- The commission of additional offenses while a person's licenses are suspended or revoked is punishable as a simple, serious, or aggravated misdemeanor if two or more convictions occurred within the previous three years while the license was suspended or revoked.<sup>353</sup>

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<sup>346</sup> Iowa Code § 481A.130.

<sup>347</sup> Iowa Code § 481A.151.

<sup>348</sup> Iowa Code § 483A.32.

<sup>349</sup> Iowa Admin. Code 571-10.5.

<sup>350</sup> Iowa Code § 481A.133.

<sup>351</sup> Iowa Code § 481A.134.

<sup>352</sup> Iowa Admin. Code 571-15.6(3).

<sup>353</sup> Iowa Code § 481A.135.

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- Upon conviction of any violation of Code chapter 481A or 483A or of any administrative order of the Commission, a magistrate may revoke or suspend license privileges for a definite period.<sup>354</sup>
- The hunting license of any person convicted twice within one year of trespassing while hunting shall be suspended or revoked for one year.<sup>355</sup>
- The hunting license of any person who illegally takes or possesses an elk, antelope, buffalo, or moose shall be revoked and the violator shall not be allowed to procure another hunting license for two calendar years.<sup>356</sup>

## **X. Revenue and Funding.**

### **A. Licenses and Fees.**

#### **1. Iowa Constitution, Article VII, Section 9.**

- Enacted as the 44th Amendment to the Iowa Constitution in 1996.
- Requires that all revenue from state license fees for hunting, fishing, and trapping and all state funds appropriated for, and federal or private funds received by the state for the regulation or advancement of hunting, fishing, or trapping or the protection, propagation, restoration, management, or harvest of fish or wildlife, must be used exclusively for the performance and administration of activities related to those purposes.

#### **2. State Fish and Game Protection Fund.**<sup>357</sup>

- Created in the state treasury and consists of all moneys accruing from license fees and all other sources of revenue arising under fish and wildlife programs<sup>358</sup> except an equitable portion of those fees that is placed in the administration fund, sufficient to pay the expenses of administering the duties of the DNR under Code chapter 456A.
- All moneys in this fund must be expended solely for carrying on fish and wildlife activities, and expenditures must be authorized by the General Assembly.<sup>359</sup>
- A schedule of fees charged for permits and administration of permits is adopted by the Commission unless otherwise provided by law.<sup>360</sup>
- Funds remaining in the Fish and Game Protection Fund during a fiscal year not specifically appropriated by the General Assembly may be used for capital projects and contingencies under the jurisdiction of the DNR relating to fish and wildlife arising during the fiscal year.<sup>361</sup>

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<sup>354</sup> Iowa Code § 483A.21.

<sup>355</sup> Iowa Code § 483A.21.

<sup>356</sup> Iowa Code § 483A.21.

<sup>357</sup> Iowa Code § 456A.17.

<sup>358</sup> Iowa Code § 456A.17.

<sup>359</sup> Iowa Code § 456A.19.

<sup>360</sup> Iowa Code § 455A.5(6)(e).

<sup>361</sup> Iowa Code § 455A.10.



# Hunting and Fishing Regulation

- Includes revenue obtained from liquidated damages paid for unlawful taking of animals,<sup>362</sup> restitution paid for pollution causing injury to wild animals,<sup>363</sup> and proceeds from the sale of property seized as a public nuisance.<sup>364</sup>
- Includes wildlife habitat fees paid by all hunting and fur harvester licensees<sup>365</sup> and a portion of fees collected from annual and seven-day fishing licenses sold<sup>366</sup> to be used only for wildlife habitat and fish habitat development, respectively, in the state.
- Includes proceeds from the sale of fish<sup>367</sup> and aquatic organisms<sup>368</sup> by the DNR.
- Includes state migratory game bird fees to be used for the purpose of protecting and propagating migratory game birds and for the acquisition, development, restoration, maintenance, or preservation of wetlands, and for administrative expenses of the Commission.<sup>369</sup>

## B. Programs.

### 1. Iowa Resources Enhancement and Protection Program (REAP).<sup>370</sup>

- Enacted in 1989 and funded from the Environment First Fund (Iowa Gaming Receipts) through appropriations from the General Assembly and from sales of natural resources license plates.<sup>371</sup>
- Natural resources license plates feature pictures of the state bird and state flower (American goldfinch and wild rose), an eagle, or a pheasant, and cost \$45 initially and \$25 for each annual renewal in addition to the regular vehicle registration fee.<sup>372</sup>
- Fees collected for natural resources license plates are credited to the REAP Fund.<sup>373</sup>
- REAP provides funding for eight different programs based on allocations into separate specified accounts for conservation education, DNR open spaces land acquisition and development, county conservation, soil and water conservation, city parks and recreation, state parks, historical resources, and Iowa roadsides.<sup>374</sup>

### 2. Wildlife Diversity Program.

- Of the special natural resources fees collected from the sale of natural resources license plates and credited to the REAP Fund, \$10 for each plate issued, and \$15 for each

<sup>362</sup> Iowa Code § 481A.131.

<sup>363</sup> Iowa Code § 481A.151.

<sup>364</sup> Iowa Code §§ 483A.32, 483A.33.

<sup>365</sup> Iowa Code § 483A.3.

<sup>366</sup> Iowa Code § 483A.3A.

<sup>367</sup> Iowa Code § 481A.10.

<sup>368</sup> Iowa Code § 482.1(1).

<sup>369</sup> Iowa Code §§ 484A.2, 484A.4.

<sup>370</sup> Iowa Code § 455A.18.

<sup>371</sup> Iowa Code § 321.34(11).

<sup>372</sup> Iowa Code § 321.34(11), Iowa Department of Natural Resources, "How to buy ...," *Iowa DNR REAP*, n.d.,

<<http://www.iowadnr.com/reap/plate/html>> (last visited Aug. 29, 2006).

<sup>373</sup> Iowa Code § 321.34(11).

<sup>374</sup> Iowa Code § 455A.19; DNR, "People and Wildlife," *Iowa DNR Education*, n.d.,

<<http://www.iowadnr.com/education/wldppl.html>> (last visited Aug. 29, 2006).

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renewal of a plate, is allocated to the DNR Wildlife Bureau is to be used for nongame wildlife purposes.<sup>375</sup>

- The wildlife diversity program is also funded through sale of nongame support certificates (collectible photographs of Iowa's nongame wildlife) and federal grants.<sup>376</sup>
- The program provides education, monitoring, and management of Iowa's nongame wildlife, which is 80 percent of all wildlife in the state.<sup>377</sup>

### 3. Federal Wildlife Restoration Act.

- The Pittman-Robertson Federal Aid in Wildlife Restoration Act was enacted in 1937 to provide funds to benefit game animals.
- Funds are collected from a manufacturers' excise tax on sporting rifles, shotguns, ammunition, archery equipment used in hunting, and handguns.
- Funds are allocated to state wildlife management departments through the United States Fish and Wildlife Service.<sup>378</sup>

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<sup>375</sup> Iowa Code § 321.34(11).

<sup>376</sup> Iowa Code § 455A.19; DNR, "People and Wildlife," *Iowa DNR Education*, n.d., <<http://www.iowadnr.com/education/wldppl.html>> (last visited Aug. 29, 2006).

<sup>377</sup> Iowa Code § 455A.19; DNR, "People and Wildlife," *Iowa DNR Education*, n.d., <<http://www.iowadnr.com/education/wldppl.html>> (last visited Aug. 29, 2006).

<sup>378</sup> Iowa Code § 455A.19; DNR, "People and Wildlife," *Iowa DNR Education*, n.d., <<http://www.iowadnr.com/education/wldppl.html>> (last visited Aug. 29, 2006).