

NATURAL RESOURCE COMMISSION[571]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

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

Chapter 91 contains the regulations for hunting waterfowl and coots and includes season dates, bag limits, possession limits, shooting hours, and areas open to hunting. The proposed amendments adjust the season dates to comply with what the Department of Natural Resources (Department) anticipates the 2016-2017 federal regulations will be, based upon meetings with the United States Fish and Wildlife Service (USFWS) this year at the Mississippi Flyway Council and review of the proposed regulations contained in 80 Fed. Reg. 77,088-77,122 (Dec. 11, 2015). The proposed amendments also ensure that the seasons open on different weekends and that an experimental special September teal season (all species) is continued for the third year. The federal regulations will likely authorize up to 16 days for the special teal season. However, in response to hunter feedback requesting that ducks have a two-week period of calm and hunter inactivity between the teal and regular duck seasons, the Commission is proposing a 9-day teal season in the north and south zones and a 16-day teal season in the Missouri River zone. This proposal will provide ducks a respite after the teal season in the south zone and an opportunity for the youth waterfowl hunt to occur prior to the regular duck season in all three zones and will allow the opening and closing dates in each zone to be staggered.

Additionally, every five years the USFWS allows states to make changes to their waterfowl hunting zone boundaries. Iowa’s changes must be submitted no later than May 1, 2016, and shall be implemented in the fall 2017 season and last through the spring of 2021. The proposed amendments expand the existing Missouri River zone south along I-29 to the Missouri border. Except for this southern expansion, the north and south zones remain the same. Because of the need to have the expanded Missouri River zone adopted in Iowa rule by May 1, 2016, the Commission must begin the rule-making process now rather than wait until USFWS finalizes its regulations.

Any interested person may make written suggestions or comments on the proposed amendments on or before March 8, 2016. Written comments may be directed to Orrin Jones, Wildlife Biologist, Department of Natural Resources, Clear Lake Fish and Wildlife Station, 1203 N. Shore Drive, Clear Lake, Iowa 50428, or by e-mail at Orrin.Jones@dnr.iowa.gov. Persons who wish to convey their comments orally may contact Orrin Jones by telephone at (641)357-3517 or by visiting the Clear Lake Fish and Wildlife Station, located at 1203 N. Shore Drive, Clear Lake, Iowa, during regular business hours.

There will be a public hearing on March 8, 2016, at 2 p.m. in the Third Floor Conference Room of the Wallace State Office Building, Des Moines, Iowa. At the public hearing, persons may present their views either orally or in writing. Participants will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendments.

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

After analysis and review of this rule making, there will not be an impact on jobs in the state.

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

The following amendments are proposed.

ITEM 1. Amend subrules 91.1(1) to 91.1(4) as follows:

91.1(1) *Zone boundaries.* ~~The~~ Effective beginning fall 2017, the north duck hunting zone is that part of Iowa north of a line beginning on the South Dakota-Iowa border at Interstate 29, southeast along Interstate 29 to State Highway 175, east to State Highway 37, southeast to State Highway 183, northeast to State Highway 141, east to U.S. Highway 30, and along U.S. Highway 30 to the Iowa-Illinois border. The Missouri River duck hunting zone is that part of Iowa west of Interstate 29 and ~~north of State Highway 175~~ south to the Iowa-Missouri border. The south duck hunting zone is the remainder of the state.

91.1(2) *Season dates - north zone.* Special September teal season: September ~~5~~ 3 through September ~~20~~ 11. For all ducks: ~~October 3~~ September 24 through October ~~18~~ 2 and October ~~24~~ 15 through December ~~6~~ 4.

91.1(3) *Season dates - south zone.* Special September teal season: September ~~5~~ 3 through September ~~20~~ 11. For all ducks: October ~~3~~ 1 through October ~~7~~ 5 and October ~~17~~ 22 through December ~~10~~ 15.

91.1(4) *Season dates - Missouri River zone.* Special September teal season: September ~~5~~ 3 through September ~~20~~ 18. For all ducks: October ~~3~~ 8 through October ~~7~~ 9 and October ~~24~~ 22 through December ~~17~~ 18.

ITEM 2. Amend subrules 91.3(1) to 91.3(5) as follows:

91.3(1) *Zone boundaries.* ~~The~~ Effective beginning fall 2017, the north goose hunting zone is that part of Iowa north of a line beginning on the South Dakota-Iowa border at Interstate 29, southeast along Interstate 29 to State Highway 175, east to State Highway 37, southeast to State Highway 183, northeast to State Highway 141, east to U.S. Highway 30, and along U.S. Highway 30 to the Iowa-Illinois border. The Missouri River goose hunting zone is that part of Iowa west of Interstate 29 and ~~north of State Highway 175~~ south to the Iowa-Missouri border. The south goose hunting zone is the remainder of the state.

91.3(2) *Season dates - north zone.* Dark geese (Canada geese, white-fronted geese, brant and any other geese that are not light geese): September ~~26~~ 24 through ~~October 9~~ October 15 through January ~~1, 2016~~ 4, 2017. Light geese (white and blue-phase snow geese and Ross' geese): September ~~26~~ 24 through ~~October 9~~ October 15 through January ~~4, 2016~~ 13, 2017.

91.3(3) *Season dates - south zone.* Dark geese (Canada geese, white-fronted geese, brant and any other geese that are not light geese): October ~~3~~ 1 through October 16 and October 22 through January ~~8, 2016~~ 11, 2017. Light geese (white and blue-phase snow geese and Ross' geese): October ~~3~~ 1 through October 16 and October 22 through January ~~15, 2016~~ 18, 2017.

91.3(4) *Season dates - Missouri River zone.* Dark geese (Canada geese, white-fronted geese, brant and any other geese that are not light geese): October ~~10~~ 8 through ~~October 16~~ October 22 through January ~~15, 2016~~ 18, 2017. Light geese (white and blue-phase snow geese and Ross' geese): October ~~10~~ 8 through ~~October 16~~ October 22 through January ~~15, 2016~~ 18, 2017.

91.3(5) *Bag limit.* The daily bag limit for dark geese (Canada geese, white-fronted geese, brant and any other geese that are not light geese) is 5 and may include no more than 2 Canada geese from September ~~26~~ 24 through October 31 and no more than 3 Canada geese from November 1 through the end of the season. The daily bag limit for light geese (white and blue-phase snow geese and Ross' geese) is 20.

ITEM 3. Amend subrules 91.3(8) to 91.3(11) as follows:

91.3(8) *Light goose conservation order season.* Only light geese (white and blue-phase snow geese and Ross' geese) may be taken under a conservation order from the U.S. Fish and Wildlife Service from January ~~16, 2016~~ 19, 2017, through April 15, ~~2016~~ 2017.

a. to e. No change.

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

a. *Season dates.* September ~~5~~ 3 through September ~~13~~ 11.

b. to d. No change.

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

a. *Season dates.* September ~~5~~ 3 through September ~~13~~ 11.

b. to d. No change.

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

a. *Season dates.* September ~~5~~ 3 through September ~~13~~ 11.

b. to d. No change.

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

571—91.6(481A) Youth waterfowl hunt. A special youth waterfowl hunt will be held on September ~~26~~ 17 and ~~27~~ 18 in the north duck hunting zone, ~~October 10~~ September 24 and ~~11~~ 25 in the south duck hunting zone, and October ~~17~~ 1 and ~~18~~ 2 in the Missouri River duck hunting zone. Youth hunters must be residents of Iowa as defined in Iowa Code section 483A.1A and less than 16 years old. Each youth hunter must be accompanied by an adult 18 years old or older. The youth hunter does not need to have a hunting license or stamps. The adult must have a valid hunting license and habitat stamp if normally required to have them to hunt and a state waterfowl stamp. Only the youth hunter may shoot ducks and coots. The adult may hunt for any other game birds for which the season is open. The daily bag and possession limits are the same as for the regular waterfowl season, as defined in rule 571—91.1(481A). All other hunting regulations in effect for the regular waterfowl season apply to the youth hunt.