

NATURAL RESOURCE COMMISSION[571]

Adopted and Filed

Pursuant to the authority of Iowa Code sections 455A.5(6), 481A.38, 481A.39, and 481A.48, the Natural Resource Commission (Commission) hereby amends 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 amendments adjust the season dates to comply with federal regulations published on March 28, 2016, in 81 Fed. Reg. 17,301–17,355. The 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 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 has proposed a 9-day teal season in the north and south zones and a 16-day teal season in the Missouri River zone. This structure will provide ducks a respite after the teal season in the south zone, allow the youth waterfowl hunt to occur prior to the regular duck season in all three zones, and will also allow the opening and closing dates in each zone to be staggered.

Additionally, every five years the United States Fish and Wildlife Service (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 2017-2018 season and last through the spring of 2021. The 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.

Notice of Intended Action was published in the Iowa Administrative Bulletin on February 17, 2016, as **ARC 2409C**. The Commission held one formal public hearing on March 8, 2016, and a more informal statewide meeting through the Iowa Communications Network on February 24, 2016. Fifty-nine comments were received, addressing four categories: duck hunting season dates, goose hunting season dates, the special September teal season, and the waterfowl hunting zone configuration. Concerning the duck hunting season, 14 comments requested earlier dates and 26 requested later dates. Similarly, 3 comments requested earlier dates for the goose hunting season while 31 requested later dates. Thirteen comments requested a full 16-day teal season, while 4 comments opposed the teal season entirely. Finally, 3 comments supported the new waterfowl zone configurations (effective the 2017-2018 season), 6 comments opposed it, and 3 comments submitted other configurations.

The following changes have been made from the Notice of Intended Action:

1. Subrules 91.1(1) and 91.3(1) were amended to clarify that the existing zone boundaries shall remain effective for the 2016-2017 season.
2. Seven days were moved from the October segment of the dark goose season in the south zone to the end of the season in January. Days were removed from October and added to January for dark geese in the south zone but not elsewhere for two reasons. First, more than half of all comments received (31 of 59) requested later goose hunting dates, with a majority of these (16) specifically requesting later dates in the south zone. Second, while these 16 commenters represent an extremely small percentage of the total waterfowl hunters in the state (less than a quarter of one percent), the Commission has heard this same request for years and is prepared to modify this season accordingly.
3. Nine additional days were added to the end of the second segment of the light goose season in the south zone to allow for later season hunting. Seven days were removed from the third week in October and added to the third week of January. Days were removed from October and added to January for light geese in the south zone so that the seasons for dark geese and light geese remain concurrent in light of the above change to the dark goose season in the south zone. Two more days were added because staff discovered that a mathematical error in the Notice led to the original selection of January 18 instead of January 20. When combined, these nine days push the end of the second segment from January 18 to January 27.

4. The second segment for light geese in the Missouri River zone has been corrected to run from October 22 to January 27, which is an extension of nine days from the original proposal of October 22 to January 18. Staff discovered that a mathematical error led to the selection of January 18; federal regulations allow for these additional days.

5. Finally, the light goose conservation order season has been pushed back from January 19 to January 28 due to the change in dates proposed for the south zone. Federal regulations require that the regular waterfowl seasons be closed before the conservation order season opens.

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.

These amendments will become effective on June 15, 2016.

The following amendments are adopted.

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

91.1(1) Zone boundaries. The following zone boundaries apply in the time frames noted:

a. For the 2016-2017 season, 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. The south duck hunting zone is the remainder of the state.

b. For the 2017-2021 seasons, 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 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~~ through 8 and 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 following zone boundaries apply in the time frames noted:

a. For the 2016-2017 season, 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. The south goose hunting zone is the remainder of the state.

b. For the 2017-2021 seasons, 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 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 and October 15 through January ~~4,~~ 2016 4, 2017. Light geese (white and blue-phase snow geese and Ross' geese): September ~~26~~ 24 through October 9 and October 15 through January ~~10,~~ 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 9 and October 22 through January 8, ~~2016~~ 18, 2017. Light geese (white and blue-phase snow geese and Ross' geese): October ~~3~~ 1 through October 9 and October 22 through January 15, ~~2016~~ 27, 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 ~~4~~ 8 through October 16 and October 22 through January 15, ~~2016~~ 18, 2017. Light geese (white and blue-phase snow geese and Ross' geese): October ~~4~~ 8 through October 16 and October 22 through January 15, ~~2016~~ 27, 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~~ 28, 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.

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