

NATURAL RESOURCE COMMISSION[571]

Notice of Intended Action

**Proposing rule making related to deer hunting by residents
and providing an opportunity for public comment**

The Natural Resource Commission (Commission) hereby proposes to amend Chapter 106, “Deer Hunting by Residents,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code sections 455A.5(6)“a,” 481A.39, and 481A.48(1).

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code sections 481A.39 and 481A.48(1).

Purpose and Summary

Chapter 106 contains the regulations for deer hunting by residents in the state of Iowa and includes season dates, bag limits, possession limits, shooting hours, areas open to hunting, licensing procedures, means and methods of take, and transportation and reporting requirements.

This rule making proposes six specific amendments to Chapter 106, which collectively accomplish the following three broader changes to the deer hunting regulations. First, general deer licenses are being reestablished as valid in three counties for all seasons: Hamilton, Webster, and Wright. Deer populations have been steadily increasing in northwest Iowa, allowing for this increase in recreational opportunities for Iowa hunters.

Second, the January antlerless-deer-only season is being conditionally reinstated for five counties: Allamakee, Appanoose, Decatur, Wayne, and Winneshiek. The season will only happen, on a county-by-county basis, if the respective number of unsold antlerless-deer-only licenses exceeds 100 in a county on the third Monday in December. This change accomplishes two objectives for deer population and disease management: (1) it maintains a stable level of antlerless-deer harvest earlier during the hunting season when deer are still within their breeding home range, thus slowing the spread of chronic wasting disease among deer family groups, and (2) it allows opportunities for additional antlerless-deer harvest later in the hunting season to help with population management. The Department’s goal moving forward will be to stabilize deer numbers in these counties and slow the spread of chronic wasting disease.

Third, county antlerless-deer-only license quotas are being modified in 25 counties for an overall statewide increase of 1,250 more tags. Quotas are being increased in Buchanan, Butler, Dallas, Des Moines, Dubuque, Fayette, Floyd, Henry, Johnson, Keokuk, Lee, Louisa, Madison, Marion, Muscatine, and Warren Counties to reduce deer densities for the purpose of disease control or to alleviate negative human-deer interactions. Quotas will be decreased in Adams, Fremont, Harrison, Jasper, Mills, Monona, Pottawattamie, Wapello, and Woodbury Counties to stabilize healthy local deer populations.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa. A copy of the fiscal impact statement is available from the Department upon request.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found. A copy of the jobs impact statement is available from the Department upon request.

Waivers

This rule is subject to the waiver provisions of 571—Chapter 11. Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Commission for a waiver of the discretionary provisions, if any.

Public Comment

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Department no later than 4:30 p.m. on March 30, 2021. Comments should be directed to:

Tyler Harms
Iowa Department of Natural Resources
Boone Research Station
1436 255th Street
Boone, Iowa 50036
Email: tyler.harms@dnr.iowa.gov

Public Hearing

A public hearing at which persons may present their views orally will be held via conference call as follows. Persons who wish to attend the conference call should contact Chris Ensminger, wildlife research supervisor, via email at chris.ensminger@dnr.iowa.gov. A conference call number will be provided prior to the hearing. Persons who wish to make oral comments at the conference call public hearing must submit a request to Mr. Ensminger prior to the hearing to facilitate an orderly hearing.

March 30, 2021
1 to 2 p.m.

Video/conference call

Persons who wish to make oral comments at the public hearing will be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

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

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Amend paragraph **106.1(1)“a”** as follows:

a. General deer licenses. General deer licenses shall be valid for taking deer in one season selected at the time the license is purchased. General deer licenses shall be valid for taking deer of either sex except in Buena Vista, Calhoun, Cherokee, Clay, Dickinson, Emmet, ~~Hamilton~~, Humboldt, Ida, Kossuth, Lyon, O'Brien, Osceola, Palo Alto, Plymouth, Pocahontas, Sac, ~~and Sioux, Webster, and Wright~~ Counties during the first regular gun season when the general deer license will be valid for taking deer with at least one forked antler. Paid general deer licenses shall be valid statewide except where prohibited in deer population management zones established under 571—Chapter 105. Free general deer licenses shall be valid for taking deer of either sex only on the farm unit of an eligible landowner or tenant in the season or seasons selected at the time the license is obtained.

ITEM 2. Adopt the following **new** subrule 106.1(6):

106.1(6) January antlerless-deer-only licenses. Licenses for the January antlerless-deer-only season may be issued for the following counties: Allamakee, Appanoose, Decatur, Wayne, and Winneshiek. January antlerless-deer-only licenses shall be issued for a county only when a minimum of 100 antlerless-deer-only licenses, as described in subrule 106.6(6), remain unsold in that county as of the third Monday in December. If 100 or more antlerless-deer-only licenses remain unsold for a given county as of the third Monday in December, those remaining antlerless-deer-only licenses shall be made available for the January antlerless-deer-only season in that county until the relevant antlerless-deer-only quota as described in subrule 106.6(6) is met.

ITEM 3. Adopt the following **new** subrule 106.2(5):

106.2(5) January antlerless-deer-only season. Deer may be taken in accordance with the type, season, and zone designated on the license from January 11 through the third Sunday in January.

ITEM 4. Adopt the following **new** subrule 106.4(5):

106.4(5) January antlerless-deer-only season. The bag limit is one deer per license. The possession limit is one deer per license.

ITEM 5. Adopt the following **new** subrule 106.6(4):

106.6(4) January antlerless-deer-only season. Only antlerless-deer-only licenses, paid or free, are available in counties pursuant to the conditions described in subrule 106.1(6). A license must be used during the January antlerless-deer-only season as described in subrule 106.2(5) and in the county or deer population management area selected at the time the license is purchased. Free antlerless-deer-only licenses shall be available only in the portion of the farm unit located in a county where paid antlerless-deer-only licenses are available during the January antlerless-deer-only season.

ITEM 6. Amend subrule 106.6(6) as follows:

106.6(6) Antlerless-deer-only licenses. Paid antlerless-deer-only licenses will be available by county as follows:

County	Quota	County	Quota	County	Quota
Adair	1200	Floyd	100 <u>150</u>	Monona	850 <u>750</u>
Adams	1200 <u>1000</u>	Franklin	0	Monroe	2250
Allamakee	3800	Fremont	200 <u>100</u>	Montgomery	500
Appanoose	2700	Greene	0	Muscatine	775 <u>900</u>
Audubon	0	Grundy	0	O'Brien	0
Benton	325	Guthrie	2150	Osceola	0
Black Hawk	0	Hamilton	0	Page	500
Boone	300	Hancock	0	Palo Alto	0
Bremer	300	Hardin	0	Plymouth	0
Buchanan	300 <u>400</u>	Harrison	850 <u>750</u>	Pocahontas	0
Buena Vista	0	Henry	925 <u>1050</u>	Polk	1350
Butler	150 <u>200</u>	Howard	450	Pottawattamie	850 <u>750</u>
Calhoun	0	Humboldt	0	Poweshiek	200
Carroll	0	Ida	0	Ringgold	1400
Cass	400	Iowa	450	Sac	0
Cedar	775	Jackson	1100	Scott	200
Cerro Gordo	0	Jasper	775 <u>575</u>	Shelby	0
Cherokee	0	Jefferson	1500	Sioux	0
Chickasaw	375	Johnson	850 <u>950</u>	Story	150
Clarke	2400	Jones	1100	Tama	300
Clay	0	Keokuk	450 <u>500</u>	Taylor	1500

County	Quota	County	Quota	County	Quota
Clayton	4000	Kossuth	0	Union	1400
Clinton	400	Lee	1500 <u>1700</u>	Van Buren	2100
Crawford	0	Linn	850	Wapello	1700 <u>1600</u>
Dallas	1875 <u>2100</u>	Louisa	675 <u>775</u>	Warren	2700 <u>3000</u>
Davis	1700	Lucas	2500	Washington	1000
Decatur	2200	Lyon	0	Wayne	2700
Delaware	950	Madison	3000 <u>3300</u>	Webster	0
Des Moines	800 <u>900</u>	Mahaska	475	Winnebago	0
Dickinson	0	Marion	1850 <u>2050</u>	Winneshiek	2700
Dubuque	975 <u>1200</u>	Marshall	150	Woodbury	300 <u>200</u>
Emmet	0	Mills	500 <u>300</u>	Worth	0
Fayette	2300 <u>2500</u>	Mitchell	100	Wright	0