Regulatory Analysis

Notice of Intended Action to be published: 571—Chapter 86
"Turtles"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 481A.38, 481A.39, 481A.67, 482.1, 482.5, and 482.11

State or federal law(s) implemented by the rulemaking: Iowa Code sections 481A.38, 481A.39, 481A.67, 482.1, 482.4, 482.5, and 482.11

Public Hearing

A public hearing at which persons may present their views orally will be held via virtual meeting as follows. Persons who wish to attend the virtual meeting should contact Randall Schultz via email. A link will be provided prior to the hearing. Persons who wish to make oral comments at the virtual public hearing must submit a request to Randall Schultz prior to the hearing to facilitate an orderly hearing.

September 24, 2025 12 noon to 1 p.m.	Via videoconference call

Free language assistance: If you need assistance in a language other than English, contact the Department of Natural Resources (Department) at randy.schultz@dnr.iowa.gov or civilrights@dnr.iowa.gov or by telephone at 319.217.9317 at least seven days before the event.

Asistencia lingüística gratuita: Si necesita ayuda en un idioma que no sea inglés, comuníquese con el Departamento de Recursos Naturales (Departamento) al randy.schultz@dnr.iowa.gov o civilrights@dnr.iowa.gov o por teléfono a 319.217.9317 al menos siete días antes del evento.

Public Comment

Any interested person may submit written comments concerning this Regulatory Analysis, which must be received by the Department no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Randall Schultz
Iowa Department of Natural Resources
6200 Park Avenue, Suite 200
Des Moines, Iowa 50321
Email: randy.schultz@dnr.iowa.gov

Free language access: If you speak a non-English language, the Department offers language assistance services free of charge. Contact the Department at randy.schultz@dnr.iowa.gov.

Asistencia lingüística gratuita: Si habla un idioma que no sea el inglés, los servicios de asistencia lingüística están disponibles de forma gratuita. Comuníquese con el Departamento al randy.schultz@dnr.iowa.gov.

Purpose and Summary

Proposed Chapter 86 regulates the taking and possession of turtles from the waters of the State. These regulations ensure a sustainable harvest, which protects turtle populations from overharvest. This is accomplished by providing daily catch and possession limits, providing gear and method of take provisions, and designating open season dates.

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**

- **Classes of persons that will bear the costs of the proposed rulemaking:**

Commercial turtle harvesters may incur costs associated with equipment tagging and recordkeeping requirements.

- **Classes of persons that will benefit from the proposed rulemaking:**

The general public and those who harvest turtles benefit from this proposed chapter because it allows for seasons on certain species while ensuring populations will remain viable into the future.

2. **Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:**

- **Quantitative description of impact:**

Commercial harvesters incur limited costs to comply with gear-labeling requirements and reporting requirements.

- **Qualitative description of impact:**

Turtle regulations ensure sustainable populations, preventing overharvest and maintaining healthy turtle stocks for the enjoyment of future generations. Turtle harvesting for many people is a generational activity that provides relaxation, recreation, social bonding, and outdoor recreation opportunities, improving the general quality of life for Iowans.

3. **Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

Implementation and enforcement costs are borne by the Department. These fall within the duties of existing law enforcement and fisheries staff and bureau budgets.

- **Anticipated effect on State revenues:**

Turtle harvesters must have an appropriate license that generates limited revenue for the State.

4. **Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:**

There are no new costs related to the proposed rulemaking. Commercial harvesters incur minor costs due to gear-labeling requirements. The requirements are necessary for enforcement purposes.

5. **Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

There are no less costly methods or less intrusive methods for achieving the purpose of this proposed rulemaking. The proposed chapter contains minimal costs and regulation in order to accomplish the purposes of the chapter and Iowa Code.

6. **Alternative methods considered by the agency:**

- **Description of any alternative methods that were seriously considered by the agency:**

There are no alternative methods that were seriously considered by the Department. This is a regulatory chapter covering restrictions for turtle harvest in public waters. The regulations are minimal and necessary.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

Not applicable.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.

- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

This proposed chapter has minimal impact on small business. All reporting and administrative requirements for commercial turtle-related businesses are found in the Iowa Code.

Text of Proposed Rulemaking

ITEM 1. Rescind 571—Chapter 86 and adopt the following **new** chapter in lieu thereof:

CHAPTER 86
TURTLES

571—86.1(481A,482) Harvesting. Turtles may be harvested from waters of the state subject to the following regulations.

86.1(1) *Species and season.* It shall be lawful to commercially and noncommercially (recreationally) harvest spiny softshell *Apalone spinifera*, smooth softshell *Apalone mutica*, and painted *Chrysemys picta* turtles from July 16 through May 14. Common snapping turtles *Chelydra serpentina* may be harvested commercially from July 16 through May 14 and recreationally year-round. Harvesting turtle eggs from wild nests is prohibited. Turtles shall not be harvested from gear set prior to midnight on July 15.

86.1(2) *Methods.* Harvest of turtles shall only be by hand, turtle hook, turtle trap, licensed commercial fishing gear in the Mississippi and Missouri Rivers only, and hook-and-line. Turtle traps shall be constructed with no more than one throat or funneling device. The last hoop to the tail-line of turtle traps shall have an unobstructed, functional escape hole with a minimum diameter in all directions of 7½ inches to allow passage of fish and small turtles. Barrel- and floating-type turtle traps must also meet the unobstructed, functional escape hole criterion.

86.1(3) *Daily catch and possession limits.*

a. The following daily catch limits apply to commercial and recreational harvesters, while the possession limits apply only to commercial harvesters:

Turtle Species	Daily Catch Limit (commercial and recreational)	Possession Limit (commercial only)
Common snapping turtle	4	20
Spiny softshell and smooth softshell turtle, in aggregate	1	5
Painted turtle	1	5

b. The possession limit for recreational harvesters is a maximum of 100 pounds of live turtles or 50 pounds of dressed turtles pursuant to Iowa Code section 483A.28. A recreational harvester's daily catch limit shall not exceed this possession limit.

86.1(4) *Culling.* It is unlawful to sort, cull, high-grade, or otherwise replace any turtle in possession.

86.1(5) *Tags.* All harvesters shall affix a weather-resistant gear tag above the waterline to each piece of gear. The gear tag must plainly show the name, address, and license number of the licensee.

86.1(6) *Gear attendance.* All turtle traps shall be set with the top of the trap visible above the waterline at all times and shall be checked and completely emptied of catch at least once every 72

hours. When a trap is checked, turtles shall either be taken into possession up to the daily catch limit or immediately released.

86.1(7) *Exclusions.* Iowa Code chapter 482 does not apply to turtles taken and imported from outside the state. The boundary waters are considered to be within the state.

This rule is intended to implement Iowa Code sections 481A.38, 481A.39, 481A.67, 482.1, 482.4, 482.5, and 482.11.