

**571—22.5(483A) Winter habitat areas.** This rule delineates eligibility and procedures for establishing temporary winter cover and food plots.

**22.5(1) Eligibility.** The program is available statewide.

To be eligible for cost assistance, individual landowners must enter into a written agreement with the department specifying the obligations of both parties.

**22.5(2) Applications for assistance.** Applications will be accepted only from those eligible as noted above.

*a.* Applications must be submitted on forms furnished by the department.

*b.* Applications and contracts must be received by April 15 to provide adequate time for site inspection and plot design. The application period may be extended indefinitely, or until all available funds have been committed. Landowners will be contacted within 30 days as to their acceptance or rejection.

**22.5(3) Project review and selection.**

*a.* Projects will be reviewed by the department wildlife biologist, who will then recommend that the commission enter into agreements with the successful applicants.

*b.* Rescinded IAB 1/24/90, effective 2/28/90.

*c.* Winter habitat areas will be selected on the basis of site suitability, the availability of other winter cover, and the availability of nesting cover to determine those projects with the greatest chance of benefiting wildlife populations.

*d.* Rescinded IAB 1/24/90, effective 2/28/90.

**22.5(4) Contract agreements.** The director is authorized to enter into agreements with landowners to carry out the purposes of this program.

*a.* Agreement forms will be provided by the department. They shall explicitly state the terms of the agreement including, but not limited to, plot size, configuration, crop types, ground preparation, and weed control and cultivation practices. Terms of the agreement and copies of the contract will be available from the department for examination.

*b.* Cost-sharing assistance will not be provided unless an agreement has been signed by both parties.

*c.* Contracts may be amended by mutual agreement of both parties.

**22.5(5) Specifications.** Winter habitat plots must conform to the following guidelines to be eligible for cost assistance:

*a.* Individual winter habitat plots must be at least three acres if they are located next to suitable winter cover; five acres if other winter cover is lacking or inadequate. Larger plots may be specified by the department wildlife biologist.

*b.* Individual winter habitat plots will be designed by the department wildlife biologist to fit individual habitat situations.

*c.* One, or a combination of the following practices, will be allowed:

(1) Standing corn left throughout the winter.

(2) Standing corn in combination with grain sorghum left throughout the winter.

(3) Forage sorghum and grain sorghum left throughout the winter.

(4) Forage sorghum in combination with standing corn left throughout the winter.

*d.* Landowners must follow site preparation, seeding and cultivation practices similar to that used in normal agricultural production.

*e.* Winter habitat plots must produce a crop similar to that in fields under normal crop production practices.

*f.* No grazing, mechanical disturbance, or harvesting will be permitted until after March 15 of the final contract year unless specified in the design.

**22.5(6) Cost-share rates.** The department will provide cost-sharing assistance for winter habitat plots at the following rates, except when a lesser amount is negotiated with a landowner.

The department will enter into Cooperative Wildlife Habitat Agreements with landowners, which stipulate the rates that will be paid for various habitat practices. These “flat rates” will be developed

using information collected from the ISU Extension Service custom rate guidelines, flat rates used by USDA for similar practices, and input from local conservation professionals.

*a. to d.* Rescinded IAB 1/8/03, effective 2/12/03.

**22.5(7) Reimbursements.** Cost assistance payments will be made after March 15 after inspection by the department wildlife biologist.

Reimbursement shall not be paid unless all terms of the contracts have been met.