

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

86.1(1) *Permissive catch.* It shall be lawful to take common snapping turtles, softshells, and painted turtles. Possession of alligator snapping turtles is not permitted. The taking of turtle eggs from wild nests is prohibited.

86.1(2) *Methods.* The method of taking 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 a functional escape hole provided 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 have a functional escape hole below the water surface with a minimum diameter in all directions of 7½ inches.

86.1(3) *Tags.* Any unattended gear used to take turtles shall have affixed a metal tag provided by the owner bearing the owner's name and address. In addition commercial turtle fishers shall purchase gear tags from the department of natural resources as required in Iowa Code sections 482.4 and 482.11 and affix to each turtle trap.

86.1(4) *Gear attendance.* All turtle traps shall be lifted and emptied of catch at least once every 72 hours.

86.1(5) *Exclusions.* Chapter 482 does not apply to turtles taken and imported from outside the state. For purposes of this rule "state" does not include the boundary waters.

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