

### Regulatory Analysis

Notice of Intended Action to be published: Iowa Administrative Code 571—Chapters 108, 109, and 110

“Wild Furbearer Trapping And Hunting”

Iowa Code section(s) or chapter(s) authorizing rulemaking: 481A.6, 481A.38, 481A.39, 481A.87, 481A.90, and 481A.92

State or federal law(s) implemented by the rulemaking: Iowa Code sections 481A.6, 481A.38, and 481A.92

### *Public Hearing*

A public hearing at which persons may present their views orally or in writing will be held as follows:

September 24, 2024  
1 to 2 p.m.

6200 Park Avenue, 2nd Floor  
Des Moines, Iowa

### *Public Comment*

Any interested person may submit written comments concerning this Regulatory Analysis. Written comments in response to this Regulatory Analysis must be received by the Department of Natural Resources (Department) no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Chris Ensminger  
Iowa Department of Natural Resources  
6200 Park Avenue, Suite 200  
Des Moines, Iowa 50321  
Email: [chris.ensminger@dnr.iowa.gov](mailto:chris.ensminger@dnr.iowa.gov)

### *Purpose and Summary*

Proposed Chapter 108 sets the season dates, daily bag limits, possession limits, and areas open to hunting or trapping furbearers. This chapter is a consolidation of existing Chapters 108, 109, and 110, which collectively regulate the take of various species of furbearers and trapping generally. This consolidation has been made consistent with Executive Order 10.

### *Analysis of Impact*

1. Persons affected by the proposed rulemaking:
  - Classes of persons that will bear the costs of the proposed rulemaking:  
Iowa fur harvesters will bear the costs.
  - Classes of persons that will benefit from the proposed rulemaking:  
Iowa fur harvesters will benefit.
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:  
This rulemaking is not associated with an economic impact or cost.
  - Qualitative description of impact:  
This rulemaking does not impose burdens on the public.
3. Costs to the State:

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

The agency's primary cost is for staff time to implement and enforce the rules. This includes Wildlife Bureau staff to administer, coordinate, and monitor the hunting and trapping seasons and also effort from conservation officers to ensure that safe and compliant hunting takes place.

- Anticipated effect on state revenues:

A detailed 2022 survey of nearly 1,100 Iowans conducted by Responsive Management Inc. estimated that 433,000 people participate in hunting activities in Iowa annually. As mentioned previously, at least 15,000 of them pursue furbearers. According to the U.S. Bureau of Economic Analysis with the U.S. Department of Commerce, hunting is linked to nearly 7,000 jobs in Iowa and generated \$47.8 million in taxes based on \$227 million in salaries and wages.

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

The loss of furbearer hunting and trapping in Iowa would eliminate the revenues described previously. Additionally, unregulated furbearer populations could cause an increasing amount of damage to Iowa landowners.

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

The Department could not identify less costly or less intrusive methods for achieving the purpose of this chapter. Other states have similar regulations and strive to manage their furbearer populations at a balance between recreational opportunities and negative interactions.

6. Alternative methods considered by the agency:

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

No alternative methods were identified to effectively manage Iowa's furbearer populations.

- 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?

The following types of jobs are positively impacted by furbearer hunting and trapping in Iowa generally and should see no noticeable change due to this rulemaking: hunting equipment retailers (firearms, ammunition, clothing, chairs, stands, binoculars, and other supporting equipment); field guides and outfitters; taxidermists; and restaurants, hotels, and gas stations for hunters and trappers traveling around the state.

#### *Text of Proposed Rulemaking*

ITEM 1. Rescind 571—Chapter 108 and adopt the following **new** chapter in lieu thereof:

CHAPTER 108  
WILD FURBEARER TRAPPING AND HUNTING

**571—108.1(481A) Badger, opossum, striped skunk, red fox, gray fox, mink, muskrat and weasel.** Open season for the taking of mink, muskrat and weasel shall be from 8 a.m. on the first Saturday in November through February 28 of the succeeding year. Entire state open. No daily bag or possession limit.

**108.1(1) *Disturbing muskrat houses.*** Any department of natural resources officer, natural resource biologist, or county conservation board director may permit trappers to dig into or disturb muskrat houses on specific state or county game management areas as provided in Iowa Code section 481A.90, after finding that muskrats are causing excessive damage by destroying the vegetation essential to the welfare of a marsh and after so posting the area.

**108.1(2) *Game management areas.*** Open season for taking muskrats on certain state game management areas, certain federal national wildlife refuges, and certain county conservation board areas, only where approved by the wildlife bureau and posted accordingly, shall be from 8 a.m. the day after the regular muskrat trapping season ends until April 1. The use of foothold traps during this season is prohibited unless each trap is placed completely inside a muskrat house. No daily bag or possession limit.

**571—108.2(481A) Groundhog.** Continuous open season. Entire state open. No daily bag or possession limit.

**571—108.3(481A) Raccoon.**

**108.3(1) *Hunting.*** Continuous open season on private lands and from 8 a.m. on the first Saturday in November through February 28 of the succeeding year on public lands. Entire state open. No daily bag or possession limit.

**108.3(2) *Trapping.*** Continuous open season using cage traps and dog-proof traps on private lands year-round. Trapping limitations described in this chapter apply to trapping raccoons from 8 a.m. on the first Saturday in November through February 28 of the succeeding year on all lands. Entire state open. No daily bag or possession limit.

**571—108.4(481A) Beaver.** Open season for the taking of beaver shall be from 8 a.m. on the first Saturday in November through April 15 of the succeeding year. No daily bag or possession limit.

**571—108.5(481A) Coyote.**

**108.5(1) *Hunting.*** Continuous open season. Entire state open. No daily bag or possession limit.

**108.5(2) *Trapping.*** Open season for trapping coyote shall be 8 a.m. on the first Saturday in November through February 28 of the succeeding year. Entire state open. No daily bag or possession limit. Any conservation officer or wildlife biologist may authorize a landowner, tenant or designee to trap coyotes causing damage outside the established trapping season dates.

**571—108.6(481A) Gray (timber) wolf and spotted skunk.** Continuous closed season.

**571—108.7(481A) River otter and bobcat.**

**108.7(1) *License requirements.*** Each person who takes river otters or bobcats shall have a valid fur harvester license and pay the habitat fee if normally required to have a license to hunt or trap.

**108.7(2) *Open area.*** River otters may be taken statewide. Bobcats may be taken in the following counties: Adair, Adams, Appanoose, Audubon, Boone, Cass, Cedar, Cherokee, Clarke, Clinton, Crawford, Dallas, Davis, Decatur, Delaware, Des Moines, Fremont, Guthrie, Harrison, Henry, Iowa, Jackson, Jasper, Jefferson, Johnson, Jones, Keokuk, Lee, Louisa, Lucas, Lyon, Madison, Mahaska, Marion, Mills, Monona, Monroe, Montgomery, Muscatine, Page, Plymouth, Polk, Pottawattamie,

Poweshiek, Ringgold, Scott, Shelby, Sioux, Taylor, Union, Van Buren, Wapello, Warren, Washington, Wayne, Webster, and Woodbury.

**108.7(3) Seasonal daily bag limit.**

a. The seasonal daily bag limit for river otters is 3 river otters per person.

b. The seasonal daily bag limit for bobcats is 1 bobcat per person in the following counties: Audubon, Boone, Cedar, Cherokee, Clinton, Crawford, Dallas, Delaware, Guthrie, Harrison, Iowa, Jackson, Jasper, Johnson, Jones, Lyon, Monona, Muscatine, Plymouth, Polk, Poweshiek, Scott, Shelby, Sioux, Webster, and Woodbury.

c. The seasonal daily bag limit for bobcats is 3 bobcats per person in the following counties: Adair, Adams, Appanoose, Cass, Clarke, Davis, Decatur, Des Moines, Fremont, Henry, Jefferson, Keokuk, Lee, Louisa, Lucas, Madison, Mahaska, Marion, Mills, Monroe, Montgomery, Page, Pottawattamie, Ringgold, Taylor, Union, Van Buren, Wapello, Warren, Washington, and Wayne.

d. No more than 3 bobcats total can be legally harvested by a fur harvester in a season. River otters or bobcats trapped in excess of the seasonal daily bag limit or in a closed area must be turned over to the department; the fur harvester shall not be penalized.

**108.7(4) Season dates.** The season for taking river otters and bobcats opens on the first Saturday in November and closes on February 28 of the following year.

**108.7(5) Reporting requirements.** Anyone, including a landowner or tenant not required to have a fur harvester license, who takes a river otter or bobcat must report the harvest and arrange to receive a Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) tag from the officer or designated department employee within seven days of harvest. The river otter or bobcat shall be skinned and its lower jaw or skull turned over to the department conservation officer or designated department employee at the time the CITES tag is issued. If the specimen is to be kept whole for taxidermy purposes, a cut shall be made by the trapper between the gum line and eye so the CITES tag can be attached to the skin.

**108.7(6) Tagging requirements.** Every river otter or bobcat that may legally be kept must have a CITES tag attached. Tags will be supplied by the conservation officer or designated department employee. The tag must remain with the pelt until the pelt is sold or used for other purposes that render it no longer available for sale. Persons displaying river otters or bobcats as taxidermy mounts or as other decorative items must keep the tags in their possession as proof of legal harvest.

**571—108.8(481A) Accidental capture of a river otter or bobcat during a closed season.** A person who accidentally captures a river otter or bobcat during a closed season or in a closed area or after the person's individual daily bag limit has been reached shall not be penalized provided that:

1. The river otter or bobcat is captured during a legal trapping season or as part of a legal depredation control process; and
2. A conservation officer is contacted within 24 hours and the river otter or bobcat and all parts thereof are turned over to a conservation officer as soon as practical.

**571—108.9(481A) Trapping restrictions.** Trapping for all furbearers will be restricted as follows:

**108.9(1) Exposed bait.** No person shall set or maintain any leghold, body-clasping trap, or snare within 20 feet of exposed bait on land anywhere in the state or over water in the following areas:

a. Mississippi River corridor—Allamakee, Clayton, Dubuque, Jackson, Clinton, Scott, Muscatine, Louisa, Des Moines and Lee Counties.

b. Missouri River corridor—Those portions of Woodbury, Monona, Harrison, Pottawattamie, Mills and Fremont Counties west of Interstate 29.

c. Des Moines River corridor—Boone, Dallas, Polk, Marion, Mahaska, Wapello and Van Buren Counties.

“Exposed bait” means meat or viscera or any animal, bird, fish, amphibian, or reptile with or without skin, hide, or feathers visible to soaring birds.

**108.9(2) Reserved.**

**571—108.10(481A) Public roadside limitations—snares and body-gripping type traps.** No person shall set or maintain any snare or body-gripping type trap within any public road right-of-way within 200 yards of buildings inhabited by human beings unless a resident of the dwelling adjacent to the public road right-of-way has given permission or unless the body-gripping type trap is completely underwater or at least one-half of the loop of a snare is underwater. Nothing in this rule shall be construed as limiting the use of foothold traps or box-type live traps in public road rights-of-way. No person shall place or leave any trap, stake, or nonindigenous set making material upon any public road right-of-way except during a period of time that begins two weeks before the trapping season opens and ends on the last day of the season.

**571—108.11(481A) Snares.**

**108.11(1) Placement.** No person shall set or maintain any snare in any public road right-of-way so that the snare when fully extended can touch any fence. Snares may not be attached to a drag.

**108.11(2) Loop size.** No snare when set will have a loop larger than 8 inches in horizontal measurement except for snares set with at least one-half of the loop underwater or snares set on private land other than roadsides within 30 yards of a pond, lake, drainage ditch, creek, stream or river shall not have a loop larger than 11 inches in horizontal measurement.

**108.11(3) Deer locks.** All snares must have a functional deer lock that will not allow the snare loop to close smaller than 2½ inches in diameter.

**108.11(4) Mechanical snares.** It shall be illegal to set any mechanically powered snare designed to capture an animal by the neck or body unless such snares are placed completely underwater.

**571—108.12(481A) Body-gripping traps.** No person shall set or maintain any body-gripping trap on any public road right-of-way within five feet of any fence.

**571—108.13(481A) Foothold traps.** No person shall set or maintain on land any foothold trap with metal-serrated jaws, metal-toothed jaws or a spread inside the set jaws of greater than 7 inches.

**571—108.14(481A) Removal of animals from traps and snares.** All animals or animal carcasses caught in any type of trap or snare, except those that are placed entirely underwater and designed to drown the animal immediately, must be removed from the trap or snare by the trap or snare user immediately upon discovery and within 24 hours of the time the animal is caught.

**571—108.15(481A) Trap tag requirements.** All traps and snares, whether set or not, possessed by a person who can reasonably be presumed to be trapping shall have a metal tag attached plainly labeled with the user's name and address.

**571—108.16(481A) Colony traps.** All colony traps must be set entirely under water.

These rules are intended to implement Iowa Code sections 481A.6, 481A.38, 481A.39, 481A.87, 481A.90, and 481A.92.

ITEM 2. Rescind and reserve **571—Chapter 109.**

ITEM 3. Rescind and reserve **571—Chapter 110.**