



## IOWA CHAPTER

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Natural Resource Commission Members  
Iowa Department of Natural Resources  
Via E-mail to [Kim.Rasler@dnr.iowa.gov](mailto:Kim.Rasler@dnr.iowa.gov), [Marcus.Branstad@dnr.iowa.gov](mailto:Marcus.Branstad@dnr.iowa.gov),  
[Conrad.Clement@dnr.iowa.gov](mailto:Conrad.Clement@dnr.iowa.gov), [Kim.Francisco@dnr.iowa.gov](mailto:Kim.Francisco@dnr.iowa.gov), [Sally.Prickett@dnr.iowa.gov](mailto:Sally.Prickett@dnr.iowa.gov),  
[Phyllis.Reimer@dnr.iowa.gov](mailto:Phyllis.Reimer@dnr.iowa.gov), [Dennis.Schemmel@dnr.iowa.gov](mailto:Dennis.Schemmel@dnr.iowa.gov), [Margo.Underwood@dnr.iowa.gov](mailto:Margo.Underwood@dnr.iowa.gov)

Re: Iowa turtle trapping rules

Dear Commissioners:

Members of the Sierra Club living across the state have been alarmed at the significant loss of turtles in Iowa's waterbodies. In places where we would normally see turtles five, ten, twenty, or thirty years ago, we are not seeing any turtles or are seeing few. We would regularly see turtles basking in the sun on logs, rocks, or the banks of rivers. Today we see few or none.

Turtles face many challenges, from predators destroying nests, from loss of wetlands and drought, from being hit by cars as the turtles are traveling to and from nesting sites, and from floods that destroy nests and nesting sites. One additional challenge is from overharvest. Complicating matters is that turtles do not start reproducing until they are several years old.

It has become very obvious, through our anecdotal observations and through the Department of Natural Resources (DNR) studies, that the turtle population is declining and that Iowa can no longer support an unlimited turtle trapping season.

The proposed rule will protect turtles during most of their nesting season – May 16 to July 15. However the rule under consideration is woefully inadequate. Should the Natural Resources Commission (NRC) support this rule, the NRC and DNR need to undertake steps to revisit the trapping season next year, as the DNR continues its field studies on the turtle populations across the state. The chapter does support the prohibition on culling and replacing turtles already in possession, the affixing of gear tags above the water line, and the gear attendance requirements that are in the rule under consideration.

### **Background of rule-making**

In 2009 the Sierra Club joined with the Center for Biological Diversity and several other organizations and requested that the DNR repeal the commercial harvest of turtles. Ultimately, that request for rule-making was denied. However the Natural Resources Commission requested that the DNR study the turtle populations and recommend rule changes that would ensure a sustainable harvest.

Since then, the DNR produced a study, Iowa's Commercial Turtle Harvest. Further the DNR has continued studying wild turtles and gathering data which DNR biologist Chad Dolan has collected in a PowerPoint presentation.

Over the last two years, the DNR has floated several versions of proposed rules. The first proposed rule was submitted to the governor in early 2015, but the governor did not grant his permission to the DNR to proceed with the rule-making process. The next step was when the Department convened Iowa's Wild Turtle Working Group in 2015. And then the 2016 Iowa legislature weighed in with legislation that required a season and a report that is due in 2021. The DNR held a stakeholders meeting on May 16, 2016 where the parameters for a proposed rule were presented. Coming out of the May, 2016, stakeholders meeting, the DNR staff modified their proposed rules based on input they had received in the meeting and worked to present rules that were the result of a compromise between the environmental community who wants all commercial turtle trapping prohibited and the trapping community that wants no limits on turtle trapping. However the governor's office rejected those rules and asked for an additional stakeholder meeting. The Department held a stakeholders meeting again in September of 2016 where a trapper and his wife spoke in opposition of the proposed rule and all other commenters spoke in favor of the proposed rule.

Now a new version of the rule, with a considerably shorter closed season, is under consideration by the NRC.

### **Analysis of the Proposed Rule**

As the Governor's preclearance form states "The proposed rule's daily catch and possession limits have been developed to hold harvest to recent historical levels while the DNR completes a five-year study on the sustainability of Iowa's turtle populations."<sup>1</sup> The Iowa Chapter maintains that the "recent historical levels" are not sustainable and will continue the downward trend in the wild turtle populations in Iowa. By allowing turtles to be harvested in the months before the nesting season in May, only those females that avoid being captured will actually nest, which will continue to keep the populations at reduced levels. Further, turtles gather together in deep holes during their winter stupor. Nothing is protecting those turtles from harvest during those months. This is particularly disconcerting since the turtles do not have an active means of avoiding being caught when they are in semi-hibernation. Also it is easy for a trapper to decimate whole populations in river bodies if the trappers locate those deep holes where the turtles have gathered during the winter.

The number of commercial turtle trappers has significantly fallen over the last few years, from a high of 179 in 2012 to under 50 in 2016<sup>2</sup>. We believe that this is a result of the turtles being overharvested.

There is nothing in the rule that guarantees that the trappers will keep the harvest of turtles at or below historical levels. There is nothing that limits the total number of pounds of turtles trapped or the number of individual turtles trapped. Likewise there is nothing to indicate that the number of trappers will remain the same or will decline. Given that the Iowa Chapter believes that the current harvest is unsustainable, the lack of overall limits on the harvest could easily continue the overharvest of turtles in Iowa.

To date the turtle harvesters have been unable to provide credible Iowa-specific studies with data to support their position that an unlimited commercial harvest is sustainable. If turtles are overharvested and extirpated across the state, turtle trappers, helpers, and buyers will have no income. If there are no turtles left in the wild, there will be no jobs. The commercial trappers will have lost their business incomes by their own actions. Furthermore, those people involved in outdoor activities - photographers, wildlife watchers, paddlers - will be harmed as well if the turtles have been extirpated from Iowa's waterbodies.

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<sup>1</sup> Governor's Office Preclearance Form, September 28, 2016, page 2

<sup>2</sup> Brianne Pfannenstiel, "Iowa seeks to save turtles, but trappers fear cultural loss", Des Moines Register, July 22, 2016

The proposed rule will protect turtles during most of their nesting season – May 16 to July 15, with commercial trapping of spiny softshell, smooth softshell, common snapping, and painted turtles prohibited during those weeks and the recreational trapping of spiny softshell, smooth softshell, and painted turtles prohibited during those same weeks. However the reproductive season begins outside of that window. In the spring, mating begins in April, a full six weeks before the season closes. It should also be noted that D. E. Pearse and J. C. Avise addressed turtle mating and determined that female turtles will mate with several males.<sup>3</sup> That increases the genetic diversity within the nest. Furthermore, the females will store the sperm and will use it to lay additional clutches. Based on this study, it is important to keep a large portion of male turtles in the wild. The table below shows the mating and nesting season of the turtles that are commercially trapped in Iowa.

Species	Mating	Nesting <sup>4</sup>
Common snapping turtle	“Courtship and mating occur anytime during the active season from April to November, especially in spring and fall.” <sup>5</sup>	May 15 to June
Painted turtle	“Breeding occurs most often in the spring and fall, but may occur throughout the summer.” <sup>6</sup>	Late May to June
Smooth softshell turtle	“Smooth softshells breed in April and May and again in fall.” <sup>7</sup>	June to July
Spiny softshell turtle	“Spiny softshells breed in April and May.” <sup>8</sup>	Late May to July

Shockingly, the DNR is reporting that the turtles are being harvested before they reach their historic maximum size, which is implying that the turtles are being harvested while they are still relatively young. “Females are being harvested at roughly 80% of their historic maximum sizes; males, at roughly 55%”<sup>9</sup> Further the “Sampling found few-to-no small or intermediate-sized turtles in either gender, meaning there is little-to-no-recruitment. The lack of small to intermediate sized turtles is an expected consequence of having too few large adults in a population.”<sup>10</sup>

The daily catch limits are based on documented harvest trends, as found in the Gritters report<sup>11</sup> and the Dolan PowerPoint<sup>12</sup>. It is expected that the current levels of commercial trapping would continue if the DNR does not set a season and harvest limits. The goal is to establish a sustainable harvest of wild turtles as well as allowing the turtles to continue to live in the wild in their historical habitat. A summary of the findings in the Gritters report follows:

<sup>3</sup> D. E. Pearse and J. C. Avise, “Turtle Mating Systems: Behavior, Sperm Storage, and Genetic Paternity”, The Journal of Heredity, 2001:92(2), page 206

<sup>4</sup> Scott Gritters, Karen Osterkamp, Denny Weiss, Chad Dolan, Mike Mason, Karen Kinkead, Mike Steuck, Joint Committee on Turtle Harvest, Iowa Department of Natural Resources, “Iowa’s Commercial Turtle Harvest”, released in 2013

<sup>5</sup> Jeffrey B. LeClere, A Field Guide to the Amphibians and Reptiles of Iowa, ECO Herpetological Publishing and Distribution, 2013, page 121

<sup>6</sup> Jeffrey B. LeClere, A Field Guide to the Amphibians and Reptiles of Iowa, ECO Herpetological Publishing and Distribution, 2013, page 127

<sup>7</sup> Jeffrey B. LeClere, A Field Guide to the Amphibians and Reptiles of Iowa, ECO Herpetological Publishing and Distribution, 2013, page 163

<sup>8</sup> Jeffrey B. LeClere, A Field Guide to the Amphibians and Reptiles of Iowa, ECO Herpetological Publishing and Distribution, 2013, page 168

<sup>9</sup> Martin Konrad, Governor’s Office Preclearance Form, February 12, 2015

<sup>10</sup> Martin Konrad, Governor’s Office Preclearance Form, February 12, 2015

<sup>11</sup> Scott Gritters, et al, Joint Committee on Turtle Harvest, Iowa Department of Natural Resources, “Iowa’s Commercial Turtle Harvest”, released in 2013

<sup>12</sup> Chad R. Dolan, “Challenges Facing Iowa’s Turtle Populations”, Iowa Department of Natural Resources

- In 1987, 37 commercial trappers harvested 29,000 pounds of turtles. Additionally Konrad reports that by 2012, 179 commercial trappers harvested over 240,313 pounds of turtles.<sup>13</sup>
- The commercial harvest of snapping turtles has increased substantially. At the same time the average number of pounds per harvester is decreasing. In 25 years, the number of pounds per trapper decreased from 1823 to 910.
- Softshell turtle harvest increased rapidly from 1987 until 2001, followed by downward harvests for 8 years. The average pounds of softshell turtles commercially harvested are declining precipitously.
- The total pounds of painted turtles commercially harvested is increasing while the average pounds of painted turtle is declining.
- Demand for turtles is increasing while fewer states allow commercial trapping of turtles.

The Iowa Chapter agrees with the Gritters report that the “turtle harvest trends are alarming”.<sup>14</sup> The decrease in the number of pounds of snapping turtle harvested per commercial trapper points out overharvest, since the snapping turtle is the most commonly harvested turtle and has been commonly found in waters throughout the state. Softshell turtle harvest and painted turtle harvest in number of pounds and pound per trapper clearly show signs of overharvest.

One can only conclude that unchecked harvest can lead to extirpation.

- Large turtles are targeted year after year
- Which leads to harvesting smaller adult turtles
- Which encourages more trapping in order to maintain the trapper’s income or to reach the sportsman’s quota
- That leads to fewer adults, and fewer eggs being laid
- Because turtles have low nesting success and low hatchling success that leads to fewer surviving juvenile turtles.
- All of this creates a spiral toward extirpating the turtles.

It is not surprising that our members are reporting that all the major rivers are facing significant declines in the turtle populations, including the Skunk, Wapsipinicon, Maquoketa, Cedar, Des Moines, Boone, Iowa, and Raccoon.

The chapter supports catch limits being placed on all four species of turtles, including the snapping turtle. Even the common snapping turtle is showing signs of over-harvest. According to LeClere, “Iowa Department of Natural Resources Fisheries personnel working on the Mississippi River are noticing less common snapping turtles than in previous years, and also note that large turtles are rarely caught anymore.”<sup>15</sup> DNR records show that the snapping turtle represents 84% of all turtles commercially trapped between 2008 and 2012.<sup>16</sup>

## Conclusion

The proposed rule will protect turtles during most of their nesting season. However the rule under consideration is woefully inadequate.

The state of Iowa has a long history of allowing unsustainable harvests, from mussels to bobcats to river otters and many other species. Sometimes those overharvests have been followed by restocking, as in the

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<sup>13</sup> Martin Konrad, Governor’s Office Preclearance Form, February 12, 2015

<sup>14</sup> Scott Gritters, et al, Joint Committee on Turtle Harvest, Iowa Department of Natural Resources, “Iowa’s Commercial Turtle Harvest”, released in 2013

<sup>15</sup> Jeffrey B. LeClere, A Field Guide to the Amphibians and Reptiles of Iowa, ECO Herpetological Publishing and Distribution, 2013, page 124

<sup>16</sup> Martin Konrad, Governor’s Office Preclearance Form, February 12, 2015

case of the river otter. Sometimes the animals have been placed on the endangered species list and have been able to repopulate the state or to increase populations from significantly reduced numbers, such as the bobcat. In other cases, the species becomes extinct, as in the case of a number of mussel species. Let's hope that we Iowans have enough courage and common sense to stop overharvest of turtles before they become extinct.

It is deplorable to even consider allowing turtles to become extinct and then having the state involved in raising turtles in hatcheries for later restocking in the wild. That is not only costly, but an unacceptable solution to unsustainable turtle harvests.

Furthermore, states in the upper Midwest have already faced issues related to their turtle populations and have dealt with their declines by banning commercial harvest or severely restricting turtle harvest. The following Midwest states have no commercial harvest of turtles – Michigan, Indiana, Kentucky, Illinois, Kansas, Nebraska, South Dakota, North Dakota, Montana, Wyoming, and Colorado. Minnesota and Ohio have restrictions on their season. Missouri limits trapping to certain water bodies. Iowa is the outlier in allowing unrestricted commercial harvest, throughout the year, with no limits on the numbers of turtles caught.

If we act in a manner to bring turtle harvest to sustainable levels, we can help ensure that turtles will continue to live in Iowa so that we, our children, our grandchildren, and their children will still be able to see wild turtles living in the wild in Iowa's lakes, rivers, and streams.

Sincerely,

Pam Mackey Taylor, Conservation Chair

Attachments:

1. Chad R. Dolan, "Challenges Facing Iowa's Turtle Populations", Iowa Department of Natural Resources
2. Scott Gritters, Karen Osterkamp, Denny Weiss, Chad Dolan, Mike Mason, Karen Kinkead, Mike Steuck, Joint Committee on Turtle Harvest, Iowa Department of Natural Resources, "Iowa's Commercial Turtle Harvest", released in 2013
3. Martin Konrad, Governor's Office Preclearance Form, February 12, 2015