

Iowa Department of Natural Resources
Natural Resource Commission

ITEM

8

DECISION

TOPIC

Final Rule: Chapter 40, Boating Speed and Distance Zoning - Catfish Creek

The NRC is requested to approve an amendment to Chapter 40, Boating Speed and Distance Zoning.

Notice of Intended Action was approved by the Commission on April 10, 2008. Notice of Intended Action was published in the Iowa Administrative Code Bulletin on May 7, 2008, as ARC 6784B. Two public hearings were held on May 27, 2008, one located in Des Moines and another located in Dubuque. No written or oral comments were received.

Kevin Szcodronski, Bureau Chief
Conservation and Recreation Division
July 10, 2008

Attachment: Final Rule: Chapter 40, Boating Speed and Distance - Catfish Creek

**NATURAL RESOURCE COMMISSION [571]
Adopted and Filed**

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby amends Chapter 40, "Boating Speed and Distance Zoning," Iowa Administrative Code.

This amendment establishes a no-wake zone on Catfish Creek by placement of regulatory buoys beginning at the mouth of Catfish Creek and extending upstream to the confluence of Catfish Creek and Granger Creek. Catfish Creek, which runs through Mines of Spain State Recreation Area, continues to increase in popularity for "quiet water activities" such as canoeing, kayaking, water-based ecotours and wildlife watching. Watercraft entering the area at a great speed creates wake problems for boaters and visitors who are pursuing these activities.

Notice of Intended Action was published in the Iowa Administrative Bulletin May 7, 2008, as ARC 6784B. Two public hearings were held on May 27, 2008, one in Des Moines and one in Dubuque. No written or oral comments were received. The amendment is identical to that published under Notice.

This amendment is intended to implement Iowa Code section 462A.26.

This amendment will become effective September 3, 2008.

The following amendment is adopted.

Amend 571—Chapter 40 by adopting the following **new** rule:

571—40.57(462A) Zoning of Catfish Creek, Mines of Spain State Recreation Area, Dubuque County. All vessels shall be operated at no-wake speed within the area beginning at the mouth of Catfish Creek and extending upstream to the confluence of Catfish Creek and Granger Creek and designated by uniform marker buoys approved by the natural resource commission.

Date

Richard A. Leopold, Director

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