

July 23, 2010 / ICEA Service Bureau

The following information, received from Kirk Henderson of the Iowa Roadside Vegetation Program, is an article published by the Iowa DNR to explain why HF 2458 was adopted. You may or may not agree with the article's content, but it does offer one explanation of why the new law was proposed and enacted.

JULY 1 MARKS NEW CHANGES IN MOWING/HAYING IN RIGHT-OF-WAYS

DES MOINES — Struggling pheasant populations will once again need a second nesting effort if numbers are going to start a rebound this year and a modification of roadside mowing requirements may help.

House File 2458, which takes effect July 1, prohibits mowing and/or haying before July 15 in the right of way of state highways and secondary county roads, with some exceptions. Previously, the Iowa Department of Transportation (DOT) issued permits for haying as early as July 1. The delayed mowing period is designed to maintain adequate nesting areas for Iowa's native birds and pheasant populations. Use of highway right of way by the public for haying or other activities is granted through a state or county permitting process, certain restrictions apply. Permit applications for access to work in the state highway right of way are accepted by the Iowa DOT. The law does grant specific mowing exceptions to adjacent landowners. Highway agencies are also allowed to mow prior to July 15 as necessary for safety and visibility reasons, to control noxious weeds and invasive plant species, and promote growth of desired native and adaptable vegetation.

"From the standpoint of pheasant production, this is a significant change especially this year because of the weather conditions we experienced during prime nesting season," said Todd Bogenschutz, upland game biologist for the Iowa Department of Natural Resources. Many hens that were unsuccessful in nesting in May or June will attempt a second nest. For those birds, the first two weeks of July will be critical because that would be about the time chicks would begin to hatch from second nesting efforts, according to Bogenschutz. "There's no doubt that pheasants readily use roadside ditches for nesting. Roadsides also provide critical corridors for birds to distribute themselves on the landscape. Ditches can provide excellent nesting and brood rearing habitat not only for pheasants, but for many songbird species," said Bogenschutz. Bogenschutz said the combination of record snow the past winter combined with the above average precipitation this spring does not provide for confidence that pheasant populations can rebound significantly this year. "Many hens didn't survive last year's brutal winter, and those that did survive didn't get much of a chance to nest successfully with the weather conditions we've experienced this spring," said Bogenschutz.

"That's why these mowing changes are so important," Bogenschutz added. "With the overall pheasant populations so low, every opportunity to increase potential nesting success helps." Once again, a less than optimal – in other words, dismal – weather pattern settled in over Iowa during prime nesting pheasant nesting season this year of late May and early June. Optimal conditions for successful pheasant nesting are dry, warm weather that increases nesting success and chick survival. Most of Iowa this spring experienced anywhere from 200 to 600 percent of normal rainfall during the peak nesting season this spring. The timing of this wet weather was terrible for nests and generally spells doom for newly-hatched pheasant chicks.

This year's excess precipitation follows a four-year pattern for most of Iowa of having above average rainfall during pheasant nesting season and a staggering 20 years above average rainfall in the southern third of the state.

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