

## Minnesota Department of Department of Natural Resources

### Division of Fish and Wildlife

#### NOTICE OF INTENT TO ADOPT EXPEDITED RULES WITHOUT A PUBLIC HEARING

#### Possible Amendment to and Repeal of Rules Governing Wildlife, *Minnesota Rules*, chapters 6230, 6232, 6234, 6236, 6237, 6240; Revisor's ID Number R-04250

**Introduction.** The Department of Natural Resources intends to adopt rules under the expedited rulemaking process following the rules of the Office of Administrative Hearings, *Minnesota Rules*, part 1400.2410, and the Administrative Procedure Act, *Minnesota Statutes*, section 14.389. You may submit written comments on the proposed expedited rules until May 12, 2014.

**Agency Contact Person.** You must submit comments or questions on the rules to: Jason Abraham at Minnesota Department of Natural Resources, 500 Lafayette Road, St. Paul, MN 55155, or by telephone at (651) 259-5197 or by e-mail at [jason.abraham@state.mn.us](mailto:jason.abraham@state.mn.us).

**Subject of the Expedited Rules and Statutory Authority.** The proposed expedited rules are about managing public hunting areas, hunting big game, hunting small game and trapping furbearing animals. The statutory authority to adopt the rules is *Minnesota Statutes*, sections 97A.095, 97A.433, 97A.434, 97A.435, 97A.535, 97B.112, 97B.301, 97B.305, 97B.311, 97B.405, 97B.425, 97B.433, 97A.434, 97B.515, 97A.535, 97B.605, 97B.611, 97B.615, 97B.621, 97B.625, 97B.631, 97B.635, 97B.711, 97B.723, 97B.731, 97B.803, 97B.803, 97B.901, 97B.911, 97B.915, 97B.921, and 97B.925. The statutory authority to adopt the rules under the expedited rulemaking process is *Minnesota Statutes*, section 84.027, subdivision 13a.

The Department is considering rule amendments and repealing its rules that:

1. Standardize the definition for open waterfowl season
2. Provide a definition for either-sex permit and standardize definitions for various deer hunting permit area designations
3. Repeal or update references to deer season options, party hunting for deer, site validation, and bag limit in hunter choice areas
4. Describe boundaries and provide for registration of antlered deer in southeast Minnesota
5. Specify information that must be provided to register a deer
6. Update deer permit designation to include hunter choice.
7. Repeal restrictions on applications for either sex/special hunt deer permits
8. Update regulations on registering bears and bait stations to include telephone or online procedures
9. Update bear permit purchase deadlines to reflect statute
10. Revise regulations for party hunting for elk
11. Revise elk zone boundaries
12. Provide for site validation coupons for registration of fisher, pine marten, and otter.
13. Revise river otter zone boundaries
14. Update opening/closing dates and revise boundaries for the farmland furbearer zone
15. Update requirements for obtaining fall and spring turkey licenses
16. Revise wild turkey permit area boundaries
17. Modify the prairie chicken application deadline and season dates
18. Modify the rail possession limit to better reflect federal regulations

19. Implement waterfowl zone boundaries
20. Correct the size limit on electric motors that may be permitted for use by disabled persons
21. Correct location descriptions for three migratory waterfowl feeding and resting areas
22. Clarify and correct youth waterfowl hunting day regulations

A free copy of the rules is available upon request from the agency contact person listed above. In addition, the proposed expedited rules may be viewed at <http://www.dnr.state.mn.us/input/rules/rulemaking.html>.

**Comments.** You have until 4:30 p.m. on Monday, May 12, 2014, to submit written comment in support of or in opposition to the proposed expedited rules and any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. The Department encourages comment. Your comment should identify the portion of the proposed expedited rules addressed and the reason for the comment. In addition, you are encouraged to propose any change desired. You must also make any comments on the legality of the proposed rules during this comment period.

**Modifications.** The agency may modify the proposed expedited rules using either of two avenues: The agency may modify the rules directly so long as the modifications do not make them substantially different as defined in *Minnesota Statutes*, section 14.05, subdivision 2, paragraphs (b) and (c). Or the agency may adopt substantially different rules if it follows the procedure under *Minnesota Rules*, part 1400.2110. If the final rules are identical to the rules originally published in the State Register, the agency will publish a notice of adoption in the State Register. If the final rules are different from the rules originally published in the State Register, the agency must publish a copy of the changes in the State Register. If the proposed expedited rules affect you in any way, the agency encourages you to participate in the rulemaking process.

**Alternative Format.** Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make such a request, please contact the agency contact person at the address or telephone number listed above.

**Lobbyist Registration.** *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. You may direct questions regarding this requirement to the Campaign Finance and Public Disclosure Board at: Suite #190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone 651-296-5148 or 1-800-657-3889.

**Adoption and Review of Expedited Rules.** The agency may adopt the rules at the end of the comment period. The agency will then submit rules and supporting documents to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date that the agency submits the rules. If you want to be so notified, or want to receive a copy of the adopted rules, or want to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

March 20, 2014

/s/ Tom Landwehr, Commissioner