

Department of Natural Resources

Chapters:

Adopted Expedited Emergency Game and Fish Rules:

6230

6232

**DEER, ELK, WILDLIFE MANAGEMENT AREAS, AND
LATE GOOSE SEASON**

6240

PUBLISHED 11-23-2009

EFFECTIVE 09-25-2009 (Retroactively) (6236.4300)

and 11-23-2009 (6230.0200, 6232.4800, 6232.4850, 6240.1900)

EXPIRES 01-31-2010 (6232.4300, 6240.1900)

and 05-23-2011 (18 months) (6230.0200, 6232.4800, 6232.4850)

Please see enclosure for text of the expedited emergency game and fish rules package. Please note that there are a number of repealers listed on the last page, and that there is a mix of effective dates and expiration dates noted above and on the last page of the text.

This package includes a feeding ban for elk and deer in the specified area of Northwestern Minnesota, Wildlife Management Areas closed to firearms deer hunting and small game firearms restrictions, elk quotas, and the late goose season.

1.1 **Department of Natural Resources**

1.2 **Adopted Expedited Emergency Game and Fish Rules: Deer, Elk, Wildlife**
1.3 **Management Areas, and Late Goose Season**

1.4 **6230.0200 SPECIAL PROVISIONS FOR WILDLIFE MANAGEMENT AREAS.**

1.5 [For text of subps 1 to 3, see M.R.]

1.6 [For text of subp 4, see 33 SR 299]

1.7 [For text of subp 5, see M.R.]

1.8 [For text of subp 6, see 33 SR 299]

1.9 [For text of subps 7 and 8, see M.R.]

1.10 Subp. 9. **Areas closed to firearms deer hunting.** The Lake Blanche Wildlife
1.11 Management Area in Otter Tail County ~~and~~, the portion of the Gordon F. Yeager Wildlife
1.12 Management Area in Olmsted County within the city limits of Rochester, a portion of the
1.13 Timber Lake Wildlife Management Area (as posted) in Jackson County, and a portion
1.14 of the Gores Pool Wildlife Management Area (as posted) in Dakota County are closed
1.15 to firearms deer hunting. Small game taken by firearms on a portion of the Gores Pool
1.16 Wildlife Management Area in Dakota County that is posted with firearms restrictions may
1.17 only be taken with shotguns using BBB or smaller diameter shot.

1.18 [For text of subp 10, see M.R.]

1.19 [For text of subp 11, see 33 SR 299]

1.20 [For text of subp 12, see 34 SR 117]

1.21 [For text of subp 13, see 33 SR 299 and 34 SR 117]

1.22 **6232.4300 2009 SEASON DATES AND QUOTAS FOR TAKING ELK.**

1.23 [For text of subps 1 and 2, see 34 SR 86]

2.1 Subp. 3. **Quotas.** The number of available licenses for the 2009 elk hunting season
2.2 is 15 in the Primary Grygla Elk Zone, ten in the Kittson County-Lancaster Elk Zone, and
2.3 five in the Kittson County-Water Tower Elk Zone, distributed as follows:

2.4 A. season A: two licenses each in the Primary Grygla and Kittson
2.5 County-Lancaster Elk Zones and one license in the Kittson County-Water Tower Elk
2.6 Zone valid for either-sex elk and three licenses in the Primary Grygla Elk Zone valid for
2.7 legal antlerless elk only;

2.8 B. season B: five licenses in the Primary Grygla Elk Zone, ~~four~~ three licenses in
2.9 the Kittson County-Lancaster Elk Zone, and two licenses in the Kittson County-Water
2.10 Tower Elk Zone valid for either-sex elk; and

2.11 C. season C: five licenses in the Primary Grygla Elk Zone, ~~four~~ five licenses in
2.12 the Kittson County-Lancaster Elk Zone, and two licenses in the Kittson County-Water
2.13 Tower Elk Zone valid for either-sex elk.

2.14 [For text of subps 4 and 5, see 34 SR 86]

2.15 **6232.4850 FEEDING OF DEER AND ELK PROHIBITED.**

2.16 Subpart 1. **Definition.** "Feed" means grains, fruits, vegetables, nuts, hay, or other
2.17 food that is capable of attracting or enticing deer or elk. Liquid scents, salt, and minerals
2.18 are not feed.

2.19 Subp. 2. **Prohibition.** Except as provided in subparts 3 and 4, a person may not place
2.20 or distribute feed in an area frequented by deer or elk or knowingly allow another person
2.21 to place or distribute feed on property under the person's ownership or lease in the area of
2.22 the state lying within the following boundary:

2.23 Beginning at State Trunk Highway (STH) 89 and the Canadian border to longitudinal
2.24 reference 95 degrees, 09 minutes, 11 seconds; thence due south; thence along Canadian
2.25 border to the shore of Lake of the Woods; thence along the shore of Lake of the Woods to

3.1 County Road (CR) 17; thence along CR 17 to STH 11; thence along STH 11 to STH 72;
3.2 thence along STH 72 to the north shore of Upper Red Lake; thence along the north shore
3.3 of Upper Red Lake to the boundary of the Red Lake Indian Reservation; thence along the
3.4 boundary of the Red Lake Indian Reservation to STH 89; thence along STH 89 to STH
3.5 1; thence south along STH 1 to the Clearwater County line; thence along the Clearwater
3.6 County line to the Pennington County line; thence due west to the intersection of CR 27
3.7 and CR 3; thence along CR 3 to CR 24; thence along CR 24 to STH 1; thence along STH
3.8 1 to STH 32; thence along STH 32 to STH 11; thence along STH 11 to CR 115; thence
3.9 along CR 115 to STH 89; thence along STH 89 to the point of beginning.

3.10 Subp. 3. **Wildlife feeding.** Wildlife feeding is allowed if:

3.11 A. the feed is placed in such a manner as to exclude access to deer and elk; or

3.12 B. the feed is placed at least six feet above the ground.

3.13 Subp. 4. **Exceptions.** The prohibition in subpart 2 does not include feed that is:

3.14 A. present solely as a result of normal agricultural, forest management, or
3.15 wildlife food planting practices; or

3.16 B. for agricultural or livestock purposes if:

3.17 (1) placed for domestic livestock that are present and actively consuming
3.18 the feed on a daily basis;

3.19 (2) covered to deter deer or elk from gaining access to the feed; or

3.20 (3) stored consistent with normal agricultural practices.

3.21 Subp. 5. **Cleanup.** In addition to any other penalties imposed, a person charged with
3.22 a violation of this part must immediately remove any feed placed. Failure to comply with
3.23 this subpart may result in additional legal action.

3.24 **6240.1900 LATE SEASONS FOR TAKING CANADA GEESE.**

4.1 [For text of subps 1 and 2, see M.R.]

4.2 Subp. 3. **Seasons.** Canada geese may be taken ~~statewide during the late seasons~~ from
4.3 December 19 to December 28, 2009, in the Southeast Goose Zone and from December 12
4.4 to December 21, 2009, in the remainder of the state, except in the West Central Goose
4.5 Zone, which is closed to late season hunting of Canada geese.

4.6 [For text of subp 4, see M.R.]

4.7 **REPEALER.** The expedited emergency amendments to Minnesota Rules, parts
4.8 6230.0200, subpart 9, published in the State Register, volume 33, page 299, August 11,
4.9 2008, and 6240.1900, subpart 3, published in the State Register, volume 34, page 354,
4.10 September 14, 2009, are repealed. Minnesota Rules, part 6232.4800, published in the
4.11 State Register, volume 32, page 2091, May 27, 2008, is repealed.

4.12 **EFFECTIVE PERIOD.** The expedited emergency amendments to Minnesota Rules,
4.13 part 6232.4300, subpart 3, are effective retroactively from September 25, 2009. The
4.14 expedited emergency amendments to Minnesota Rules, parts 6232.4300, subpart 3, and
4.15 6240.1900, subpart 3, expire January 31, 2010.