

CHAPTER 6234
DEPARTMENT OF NATURAL RESOURCES
SMALL GAME

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GENERAL RESTRICTIONS

6234.0100 GENERAL RESTRICTIONS FOR TAKING SMALL GAME.

Subpart 1. **Use of handguns.** All species of small game which may lawfully be taken with a rifle may also be taken with a handgun, subject to the same caliber restrictions that apply to rifles.

Subp. 2. **Unattended electronic devices prohibited.** A person may not use an unattended electronic device for the purpose of taking small game, except game birds.

Subp. 3. **Wounded game included in bag limit.** Wounded or captured game reduced to possession must be killed before being removed from the site where taken, and once reduced to possession must be included in a person's daily bag limit.

Subp. 4. [Repealed, L 2008 c 368 art 2 s 82]

Statutory Authority: *MS s 97B.031; 97B.605; 97B.711; 97B.911; 97B.915; 97B.921; 97B.924; 97B.925; and others at 19 SR 6*

History: *18 SR 83; 19 SR 484; 23 SR 299; L 2008 c 368 art 2 s 82*

Published Electronically: *September 4, 2008*

6234.0200 TAKING RUFFED GROUSE AND SPRUCE GROUSE.

Subpart 1. **Open season.** Ruffed grouse and spruce grouse may be taken by firearm or bow and arrow from the Saturday on or nearest September 16 to January 1, except when January 1 is a Thursday, Friday, or Saturday, the season closes the following Sunday.

Subp. 2. **Bag limit.** A person may not take more than an aggregate of five ruffed grouse and spruce grouse per day or possess an aggregate of more than ten ruffed grouse and spruce grouse at a time.

Statutory Authority: *MS s 97A.045; 97B.711; and others at 19 SR 6*

History: *18 SR 83; 19 SR 484; 19 SR 2222; 34 SR 621*

Published Electronically: *November 19, 2009*

6234.0300 TAKING SHARP-TAILED GROUSE.

Subpart 1. **Bag limits.** A person may not take more than three sharp-tailed grouse per day or possess more than six sharp-tailed grouse at a time.

Subp. 2. **Open area.** The open area to take sharp-tailed grouse is statewide except in that portion of the state lying within the following described boundary:

Beginning on U.S. Highway 2 at the west boundary of the state; thence along U.S. Highway 2 to U.S. Highway 71; thence northeast along U.S. Highway 71 to State Trunk Highway (STH) 1; thence east

along STH 1 to STH 73; thence south along STH 73 to U.S. Highway 2; thence west on U.S. Highway 2 to STH 200; thence west on STH 200 to STH 6; thence south on STH 6 to STH 18; thence east on STH 18 to STH 65; thence south on STH 65 to STH 70; thence east on STH 70 to the east boundary of the state; thence along the east, south, and west boundary of the state to the point of beginning.

In addition, a person with a valid prairie chicken license may take sharp-tailed grouse in an open prairie chicken permit area where the person is licensed to take prairie chickens during the time the license is valid. The taking of sharp-tailed grouse by a licensed prairie chicken hunter is subject to all other restrictions for taking sharp-tailed grouse and the person must meet small game hunting license requirements to take sharp-tailed grouse.

Subp. 3. **Open season.** Sharp-tailed grouse may be taken by firearm or bow and arrow from the Saturday on or nearest September 16 to November 30.

Statutory Authority: *MS s 97B.711; and others at 19 SR 6*

History: *18 SR 83; 19 SR 484; 30 SR 613*

Published Electronically: *June 11, 2008*

6234.0400 TAKING PHEASANTS.

Subpart 1. **Open season.** Only cock (male) pheasants may be taken by firearm or bow and arrow from the Saturday on or nearest October 13 to January 1, except when January 1 is a Thursday, Friday, or Saturday, the season closes the following Sunday. Shooting hours are from 9:00 a.m. to sunset each day.

Subp. 2. **Bag limit.** From the first day of the pheasant season until November 30, a person may not take more than two cock pheasants per day or possess more than six cock pheasants at a time. From December 1 until the last day of the pheasant season, a person may not take more than three cock pheasants per day or possess more than nine cock pheasants at a time.

Subp. 3. **Firearm restriction.** A person may not take pheasants with a rifle or handgun other than a .22 caliber rimfire using short, long, or long rifle ammunition.

Statutory Authority: *MS s 97B.711; 97B.715; and others at 19 SR 6; L 2008 c 368 art 2 s 79*

History: *18 SR 83; 19 SR 484; 19 SR 2222; 30 SR 613; 33 SR 1177; 34 SR 621*

Published Electronically: *November 19, 2009*

6234.0500 TAKING GRAY PARTRIDGE.

Subpart 1. **Open season.** Gray (Hungarian) partridge may be taken by firearm or bow and arrow from the Saturday on or nearest September 16 to January 1, except when January 1 is a Thursday, Friday, or Saturday, the season closes the following Sunday.

Subp. 2. **Rifle restriction.** A person may not take gray partridge with a rifle or handgun other than a .22 caliber rimfire using short, long, or long rifle ammunition.

Subp. 3. **Bag limit.** A person may not take more than five gray partridge per day or possess more than ten gray partridge at a time.

Statutory Authority: *MS s 14.388; 97B.711; and others at 19 SR 6; L 2014 c 290 s 62*

History: *19 SR 484; 34 SR 621; 39 SR 486*

Published Electronically: *October 7, 2014*

6234.0600 TAKING JACK RABBITS, COTTONTAIL RABBITS, AND SNOWSHOE HARES.

Subpart 1. **Open season.** Jack rabbits, cottontail rabbits, and snowshoe hares may be taken by legal firearm, bow and arrow, and traps from the Saturday nearest September 16 to the last day in February. A person may use dogs to pursue rabbits and hares without killing or capturing the rabbits and hares at any time during the year except from April 16 to July 14 or under permit.

Subp. 2. **Bag limits.** A person may not take more than ten cottontail rabbits, jack rabbits, and snowshoe hares, combined, per day or possess more than 20 cottontail rabbits, jack rabbits, and snowshoe hares, combined, at a time.

Statutory Authority: *MS s 14.388; 97A.045; 97B.605; 97B.615; L 2014 c 290 s 64*

History: *18 SR 83; 22 SR 292; 39 SR 486*

Published Electronically: *October 7, 2014*

6234.0700 TAKING GRAY SQUIRRELS AND FOX SQUIRRELS.

Subpart 1. **Open season.** Gray squirrels and fox squirrels may be taken by legal firearm, bow and arrow, and traps from the Saturday nearest September 16 to the last day in February.

Subp. 2. **Bag limits.** A person may not take more than an aggregate of seven gray squirrels and fox squirrels per day or possess more than an aggregate of 14 gray squirrels and fox squirrels at a time.

Statutory Authority: *MS s 97A.045; 97B.605; 97B.611*

History: *18 SR 83*

Published Electronically: *June 11, 2008*

6234.0800 HUNTING BY FALCONRY.

Subpart 1. **Bag limits.** A person may not take more than three small game animals per day in the aggregate or possess more than six small game animals in the aggregate, other than rabbits and squirrels. A person may take and possess the limits of rabbits and squirrels allowed under parts 6234.0600 and 6234.0700.

Subp. 2. **Possession of firearms and bows and arrows prohibited.** A person may not hunt by falconry while in possession of, or having under control, any firearm or bow and arrow.

Subp. 3. **Open season and hours for nonmigratory small game.** Nonmigratory small game may be taken by falconry from September 1 to the last day in February. Falconry hunting hours are from one-half hour before sunrise to sunset, except that pheasants may not be taken before 9:00 a.m.

Subp. 4. **Open season and hours for migratory game birds.** Woodcock, sora and Virginia rails, mourning dove, and common snipe may be taken by falconry from September 1 to December 16. Ducks, coots, and moorhens (*Gallinules*) may be taken by falconry from the Saturday nearest October 1 to the Saturday nearest January 14. Geese may be taken by falconry during any open goose season. Crows may be

taken by falconry during the open season. Falconry hours are from one-half hour before sunrise to sunset, except during the regular waterfowl season when falconry hours are the same as waterfowl shooting hours.

Statutory Authority: *MS s 97B.105; 97B.731*

History: *18 SR 83; 24 SR 644; 30 SR 613; 35 SR 505*

Published Electronically: *October 13, 2010*

FURBEARERS

6234.0900 SCOPE AND DEFINITIONS.

Subpart 1. **Scope.** The provisions of parts 6234.0900 to 6234.2400 apply to the use of traps or snares capable of taking a wild animal protected under provisions of Minnesota Statutes, sections 97B.601 to 97B.671 or 97B.901 to 97B.945.

Subp. 2. **Terms.** The terms used in parts 6234.0900 to 6234.3500 have the meanings given them in this part.

Subp. 3. **Authorized agent.** "Authorized agent" means a person authorized by a trapper, in writing, who possesses all necessary licenses to check, pick up, or reset traps set by the trapper.

Subp. 4. **Bait.** "Bait" means any animal or animal parts, including live or dead fish, except that small aggregates of fur and feathers used for flagging purposes are not bait.

Subp. 5. **Waterset.** "Waterset" means any body-gripping trap or snare set in which the body-gripping portion of the jaws or the snare loop, when set, is at least half-submerged in water. A completely submerged waterset is any set in which the body-gripping portions of the jaws or the snare loop, when set, is completely submerged in water.

Subp. 6. **Wolf snare.** "Wolf snare" means any snare set that:

- A. has a maximum loop diameter greater than ten inches, but less than or equal to 18 inches;
- B. has a cable diameter of at least 7/64 inches;
- C. includes stops affixed to the cable to ensure that the portion of the snare that makes up the noose loop may not be less than three inches in diameter when fully closed;
- D. includes a breakaway device that would cause the snare loop to break when pulled by a moose; and
- E. includes a diverter wire that extends 27 inches in both directions, measured perpendicular to and from the top of the snare loop. The diverter wires must be positioned at an angle no more than 20 degrees from the horizontal plane of the top of the snare, and the snare must be set within 20 yards of bait.

Statutory Authority: *MS s 97B.605; 97B.911; 97B.915; 97B.921; 97B.925; L 2012 c 277 art 1 s 85*

History: *18 SR 83; L 2012 c 277 art 1 s 90; 37 SR 374*

Published Electronically: *November 27, 2012*

6234.1000 DESCRIPTION OF FURBEARER ZONES.

Subpart 1. **Forest Furbearer Zone.** That portion of the state lying within the following described boundary is known as the Forest Furbearer Zone.

Beginning on U.S. Highway 59 at the north boundary of the state; thence along U.S. Highway 59 to U.S. Highway 10; thence along U.S. Highway 10 to State Trunk Highway (STH) 210; thence along STH 210 to STH 18; thence along STH 18 to U.S. Highway 169; thence along U.S. Highway 169 to STH 23; thence along STH 23 to STH 65; thence along STH 65 to STH 70; thence along STH 70 to the east boundary of the state; thence along the east and north boundaries of the state to the point of beginning.

Subp. 2. **Farmland Furbearer Zone.** That portion of the state lying outside of the Forest Furbearer Zone is known as the Farmland Furbearer Zone.

Subp. 3. **North Mink/Muskrat/Beaver/Otter Zone.** That portion of the state lying within the following described boundary is known as the North Mink/Muskrat/Beaver/Otter Zone.

Beginning on State Trunk Highway (STH) 200 at the west boundary of the state; thence along STH 200 to U.S. Highway 2; thence along U.S. Highway 2 to STH 73; thence along STH 73 to STH 27; thence along STH 27 to Interstate Highway 35 (I-35); thence along I-35 to the Carlton-Pine County line; thence east along the Carlton-Pine County line to the east boundary of the state; thence along the east, north, and west boundaries of the state to the point of beginning.

Subp. 4. **South Mink/Muskrat/Beaver/Otter Zone.** That portion of the state lying outside of the North Mink/Muskrat/Beaver/Otter Zone is known as the South Mink/Muskrat/Beaver/Otter Zone.

Statutory Authority: *MS s 97B.605; 97B.911; 97B.915; 97B.921; 97B.925*

History: *18 SR 83*

Published Electronically: *June 11, 2008*

6234.1100 TAKING MINK AND MUSKRATS.

Subpart 1. **Open season in North Zone.** Mink and muskrats may be taken by trapping from 9:00 a.m. on the Saturday nearest October 26 to the last day in February in the North Zone.

Subp. 2. **Open season in South Zone.** Mink and muskrats may be taken by trapping from 9:00 a.m. on the Saturday nearest October 30 to the last day in February in the South Zone.

Subp. 3. **Bag limits.** Mink and muskrats may be taken and possessed without limit.

Subp. 4. **Special provisions.** The special provisions in items A to C apply to taking mink and muskrats.

A. Taking by the use of dogs or by digging is prohibited.

B. Openings may be made in any muskrat house for the purpose of trapping if they are plugged by replacing all materials removed and wetting the materials down to prevent freezing within the structure. Traps may be set at natural entrances to muskrat runways and bank burrows.

C. A person may not damage any muskrat house, muskrat runway, or muskrat bank den, except as provided by this part.

Statutory Authority: *MS s 97B.911; 97B.915; and others at 19 SR 6*

History: *18 SR 83; 19 SR 484*

Published Electronically: *June 11, 2008*

6234.1200 TAKING RACCOON.

Subpart 1. **Open season.** Raccoons may be taken statewide with legal firearms, bow and arrow, and by trapping from 9:00 a.m. on the Saturday nearest October 22, except in the North Mink/Muskrat/Beaver/Otter Zone as described in part 6234.1000, subpart 3, where raccoon may be taken with legal firearms, bow and arrow, and by trapping beginning at 9:00 a.m. on the Saturday nearest October 17. The season ends March 15.

Subp. 2. **Bag limits.** Raccoons may be taken and possessed without limit.

Subp. 3. **Special provisions.** A person may use an artificial light to locate, attempt to locate, or shoot a raccoon only if the raccoon has been treed or put at bay by dogs. The use of dogs and lights to take raccoon is regulated as provided by Minnesota Statutes, sections 97B.081, 97B.621, and 97B.931.

Statutory Authority: *MS s 97A.541; 97B.605; 97B.621; and others at 19 SR 6*

History: *18 SR 83; 19 SR 484; 22 SR 292; 30 SR 613; 36 SR 1155*

Published Electronically: *April 12, 2012*

6234.1300 TAKING RED FOX AND GRAY FOX.

Subpart 1. **Open season.** Gray and red fox may be taken statewide with legal firearms, bow and arrow, and by trapping from 9:00 a.m. on the Saturday nearest October 22, except in the North Mink/Muskrat/Beaver/Otter Zone as described in part 6234.1000, subpart 3, where gray and red fox may be taken with legal firearms, bow and arrow, and by trapping beginning at 9:00 a.m. on the Saturday nearest October 17. The season ends March 15.

Subp. 2. **Bag limits.** Red fox and gray fox may be taken and possessed without limit.

Subp. 3. [Repealed, 19 SR 2222]

Subp. 4. **Special provisions.** The special provisions in items A and B apply to taking red fox and gray fox.

A. Fox may be run without being taken by the use of dogs at any time during the year except from March 16 to July 14 or under permit.

B. Dogs may be used for hunting fox during the open season.

Statutory Authority: *MS s 97A.045; 97A.541; 97B.605; 97B.631; and others at 19 SR 6*

History: *18 SR 83; 19 SR 484; 22 SR 292; 30 SR 613; 36 SR 1155*

Published Electronically: *April 12, 2012*

6234.1400 TAKING BADGER AND OPOSSUM.

Subpart 1. **Open season.** Badgers and opossums may be taken statewide with legal firearms, bow and arrow, and by trapping from 9:00 a.m. on the Saturday nearest October 22, except in the North Mink/Muskrat/Beaver/Otter Zone as described in part 6234.1000, subpart 3, where badger and opossum may be taken with legal firearms, bow and arrow, and by trapping beginning at 9:00 a.m. on the Saturday nearest October 17. The season ends March 15.

Subp. 2. **Bag limits.** Badgers and opossums may be taken and possessed without limit.

Statutory Authority: *MS s 97B.605; 97B.635; and others at 19 SR 6*

History: *18 SR 83; 19 SR 484; 30 SR 613; 36 SR 1155*

Published Electronically: *April 12, 2012*

6234.1500 TAKING LYNX.

Taking lynx is prohibited statewide.

Statutory Authority: *MS s 97B.605; 97B.625*

History: *18 SR 83*

Published Electronically: *June 11, 2008*

6234.1600 TAKING BOBCAT.

Subpart 1. **Open season.** Bobcats may be taken with legal firearms, bow and arrow, and by trapping from the first Saturday following Thanksgiving to the Sunday nearest January 6.

Subp. 2. **Open area.** Bobcats may be taken only in that area of the state lying north of Interstate Highway 94 (I-94) beginning at the west boundary of the state; thence along I-94 to U.S. Highway 10; and thence along U.S. Highway 10 to the east boundary of the state.

Subp. 3. **Bag limits.** A person may not take more than five bobcats per season by either hunting or trapping or both. A person may not possess more than five bobcats at a time, except that a person may possess additional pelts that the person lawfully took, tagged, and registered during previous seasons.

Subp. 4. **Tagging bobcats.** Pelts and skinned carcasses are subject to the provisions of part 6234.2600.

Statutory Authority: *MS s 97A.541; 97B.605; 97B.625; and others at 19 SR 6*

History: *18 SR 83; 19 SR 484; 24 SR 644; 30 SR 613*

Published Electronically: *June 11, 2008*

6234.1700 TAKING FISHER AND PINE MARTEN.

Subpart 1. **Open season.** Fisher and pine marten may be taken by trapping from the first Saturday following Thanksgiving to the Sunday nearest December 12.

Subp. 2. **Bag limits.** The combined limit for fisher and pine marten is five per season, in aggregate. A person may not take more than five fisher and pine marten, combined, per season or possess more than five fisher and pine marten, combined, at a time, except that a person may possess additional pelts that the person lawfully took, tagged, and registered during previous seasons.

Subp. 3. **Validation and tagging.** Each pine marten or fisher must be validated on a site validation coupon issued by the state. The person taking the animal must validate the coupon at and prior to removing the animal from the kill site. The coupon must be obtained and validated according to part 6234.2600. Pelts and skinned carcasses of fisher and pine marten are subject to the provisions of part 6234.2600.

Subp. 4. **Open area.** Fisher and pine marten may be taken only in that area of the state lying north of Interstate Highway 94 (I-94) beginning at the west boundary of the state; thence along I-94 to U.S. Highway 10; and thence along U.S. Highway 10 to the east boundary of the state.

Statutory Authority: *MS s 97B.605; 97B.635; 97B.901; and others at 19 SR 6*

History: *18 SR 83; 19 SR 484; 24 SR 644; 30 SR 613; 39 SR 1006*

Published Electronically: *January 12, 2015*

6234.1800 [Repealed, 30 SR 613]

Published Electronically: *June 11, 2008*

6234.1900 TAKING BEAVER.

Subpart 1. **Open season and bag limits for beaver in North Zone.** Beaver may be taken and possessed without limit by trapping from 9:00 a.m. on the Saturday nearest October 26 to May 15.

Subp. 2. **Open season and bag limits for beaver in South Zone.** Beaver may be taken and possessed without limit by trapping from 9:00 a.m. on the Saturday nearest October 30 to May 15.

Statutory Authority: *MS s 97B.925*

History: *18 SR 83; 20 SR 2287*

Published Electronically: *June 11, 2008*

6234.2000 TAKING OTTER.

Subpart 1. **Open season for otter in North Zone.** Otter may be taken by trapping from 9:00 a.m. on the Saturday nearest October 26 to the Sunday nearest January 6 only in that portion of the state described in part 6234.1000, subpart 3.

Subp. 2. **Open season and area for otter in South Zone.** Otter may be taken by trapping from 9:00 a.m. on the Saturday nearest October 30 to the Sunday nearest January 6 in the remainder of the state described in part 6234.1000, subpart 4.

Subp. 3. **Bag limits.** A person may not take more than four otter per season, or possess more than four otter at a time, except that a person may possess additional pelts that the person lawfully took, tagged, and registered during previous seasons.

Subp. 4. **Validation and tagging otter.** Each otter must be validated on a site validation coupon issued by the state. The person taking the animal must validate the coupon at and prior to removing the animal from the kill site. The coupon must be obtained and validated according to part 6234.2600. Pelts are subject to the provisions of part 6234.2600.

Statutory Authority: *MS s 97B.605; 97B.901; 97B.921; 97B.925*

History: *18 SR 83; 20 SR 2287; 30 SR 613; 35 SR 2014; 39 SR 1006*

Published Electronically: *January 12, 2015*

6234.2100 SPECIAL PROVISIONS FOR TAKING BEAVER AND OTTER.

Subpart 1. **Setting of traps.** Traps of any kind may not be set inside a beaver house or above the water line on the outside of a beaver house.

Subp. 2. **Damage to beaver house or dam.** A person may not damage a beaver house or dam, except as otherwise authorized by law or permit or by employees of the department in the performance of their official duties.

Subp. 3. **Use of snowmobiles and all-terrain vehicles.** Snowmobiles and all-terrain vehicles may be used statewide to transport or check beaver or otter traps and to transport beaver or otter carcasses.

Subp. 4. **Taking in wildlife management areas.** Beaver and otter may be taken by licensed trappers in wildlife management areas by permit issued by the appropriate state wildlife manager.

Subp. 5. [Repealed, 35 SR 505]

Subp. 6. [Repealed, 35 SR 505]

Statutory Authority: *MS s 97B.605; 97B.921; 97B.925; 97B.935*

History: *18 SR 83; 30 SR 613; 35 SR 505*

Published Electronically: *October 13, 2010*

USE OF TRAPS

6234.2200 USE OF TRAPS.

Subpart 1. **Trap-tending hours and use of lights.** Trap-tending hours and use of lights are regulated as provided by Minnesota Statutes, section 97B.931.

Subp. 2. **Trap-tending interval; nondrowning sets.**

A. Any trap, except a body-gripping or "conibear" type trap, capable of capturing a protected wild animal and not capable of drowning the animal must be tended at least once each calendar day and any animal captured must be removed from the trap. A body-gripping or "conibear" type trap need not be tended more frequently than once every third calendar day and any animal captured must be removed from the trap.

B. Foothold traps with a jaw spread of 4.75 inches or less or a rat type snap trap, contained entirely within a container with an opening of no more than two inches in height or width, need not be tended more frequently than once every third calendar day and any animal captured must be removed from the trap. This item applies only to sets that are designed to immediately kill the animal.

Subp. 3. **Trap-tending interval; drowning sets.** Except for traps set under the ice, any trap capable of drowning the captured animal must be tended at least once each third calendar day and any animal captured must be removed from the trap.

Subp. 4. **Exposed bait.** A person may not set or maintain any leghold trap within 20 feet of bait located in such a manner that it may be seen by soaring birds.

Subp. 5. **Size restriction on body-gripping traps.** A person may not set, place, or operate, except as a waterset, any body-gripping or "conibear" type trap that has a maximum jaw opening, when set, of greater than 7-1/2 inches measured from the inside edges of the body-gripping portions of the jaws.

Subp. 6. **Size restriction on leghold traps.** A person may not set, place, or operate any leghold trap that has a maximum jaw opening, when set, of greater than 8-3/4 inches measured from the inside edges of the jaws.

Subp. 7. **Placement of body-gripping traps.** A person may not set, place, or operate any body-gripping or "conibear" type trap that has a maximum jaw opening, when set, of greater than 6-1/2 inches measured from the inside edges of the body-gripping portions of the jaws:

A. in a road right-of-way within 500 feet of a building occupied by a human or livestock without written permission of the landowner, except as a completely submerged waterset; or

B. in or within three feet of the opening of a six-foot-wide or smaller culvert, except as a completely submerged waterset.

Subp. 8. [Repealed, 22 SR 292]

Subp. 9. **Marking trapping site.** Prior to the opening of the trapping season for any protected species of wild animal, no trap, either set or unset, may be placed or staked and no flag, stake, or other device may be placed for the purpose of marking or preempting a trapping site. During the muskrat trapping season, no flag, stake, or other device may be placed in or on a muskrat house for the purpose of marking or preempting a trap site unless an operational trap is set at the site at the time it is first staked or marked.

Subp. 10. **Removal of traps.** A trap placed for a protected wild animal may not be left in place, either set or unset, after the close of the applicable trapping season.

Subp. 11. [Repealed, 22 SR 292]

Subp. 12. **Authorized agent.** A trapper may authorize, in writing, an agent who possesses all necessary licenses to check, pick up, and reset, at the same site, traps set by the trapper. An authorized agent may remove a trapped animal and, if the animal removed from the trap is required to be validated as provided by part 6234.2600, must validate the agent's own site validation coupon as prescribed at and prior to removing the animal from the site of the kill.

Statutory Authority: *MS s 97B.605; 97B.611; 97B.615; 97B.621; 97B.625; 97B.631; 97B.635; 97B.911; 97B.915; 97B.921; 97B.925*

History: *18 SR 83; 20 SR 2287; 22 SR 292; 35 SR 505; 39 SR 1006*

Published Electronically: *January 12, 2015*

USE OF SNARES

6234.2300 GENERAL RESTRICTIONS ON USE OF SNARES.

Subpart 1. **Regulation of snares as traps.** Unless otherwise specified, snares may be used for taking all species of protected wild animals that may be taken by the use of traps. The use of snares is subject to all rules for the use of traps that are consistent with parts 6234.2300 and 6234.2400.

Subp. 2. [Repealed, L 2005 c 146 s 52]

Subp. 3. [Repealed, L 2005 c 146 s 52]

Subp. 4. **Wolf snares.** Wolves may be taken with snares or wolf snares as defined in part 6234.0900.

Statutory Authority: *MS s 97A.045; 97B.605; 97B.611; 97B.615; 97B.621; 97B.625; 97B.631; 97B.635; 97B.911; 97B.915; 97B.921; 97B.925; L 2012 c 277 art 1 s 85*

History: *18 SR 83; L 2005 c 146 s 52; 35 SR 505; 37 SR 374*

Published Electronically: *December 17, 2012*

6234.2400 SPECIAL RESTRICTIONS ON USE OF SNARES.

Subpart 1. **Scope.** The provisions of parts 6234.2300 and 6234.2400 apply to the use of snares capable of taking a wild animal protected under provisions of Minnesota Statutes, sections 97B.601 to 97B.671 or 97B.901 to 97B.945.

Subp. 2. **Farmland Furbearer Zone restrictions.** In the Farmland Furbearer Zone, a person may use snares as follows:

A. from April 1 to the Friday nearest October 26, a person may not set, place, or operate any snare except as a waterset in that part of the Farmland Furbearer Zone lying within the North Mink/Muskrat/Beaver/Otter Zone, described in part 6234.1000, subpart 3;

B. from the Saturday nearest October 26 to March 31, a person may not set, place, or operate any snare on public lands, including on the surface of frozen water within public lands, on road rights-of-way, or in fence lines along road rights-of-way, except as a waterset in that part of the Farmland Furbearer Zone lying within the North Mink/Muskrat/Beaver/Otter Zone, described in part 6234.1000, subpart 3;

C. from April 1 to the Friday nearest October 30, a person may not set, place, or operate any snare except as a waterset in that part of the Farmland Furbearer Zone lying outside the North Mink/Muskrat/Beaver/Otter Zone, described in part 6234.1000, subpart 3;

D. from the Saturday nearest October 30 to March 31, a person may not set, place, or operate any snare on public lands, including on the surface of frozen water within public lands, on road rights-of-way, or in fence lines along road rights-of-way, except as a waterset in that part of the Farmland Furbearer Zone lying outside the North Mink/Muskrat/Beaver/Otter Zone, described in part 6234.1000, subpart 3.

Subp. 3. **Snaring in culverts.** A person may not set, place, or operate a snare in a culvert, except as a completely submerged waterset.

Subp. 4. **Removal of snares.** A snare set for a protected mammal may not be left in place after the close of the applicable trapping season.

Subp. 5. **Prohibition on snares placed in deer trails.** Snares, including wolf snares, may not be set in deer, elk, or moose trails.

Subp. 6. **Use of spring poles.** Snares may not be used with spring poles or other devices where an animal caught in the snare will be wholly or partly lifted from the ground.

Subp. 7. **Snare height.** A snare may not be set so that the top of the loop is more than 20 inches above the first surface beneath the bottom of the set snare loop. During the wolf season, licensed wolf trappers may use wolf snares but a wolf snare may not be set so that the bottom of the loop is more than 18 inches above the first surface beneath the bottom of the set snare loop.

Subp. 8. **Snare loop diameter.** The diameter of a snare loop may not exceed ten inches.

Subp. 9. **Snare cable diameter.** Snare cable or wire may not exceed one-eighth inch in diameter.

Subp. 10. **Tending snares.** All snares not capable of drowning the captured animal must be tended at least once each calendar day and any animal captured must be removed from the snare.

Subp. 11. **Snare separation.** Licensed wolf trappers shall set wolf snares for wolves no closer than 500 feet to another wolf snare set by the same licensed wolf trapper.

Statutory Authority: *MS s 97B.605; 97B.611; 97B.615; 97B.621; 97B.625; 97B.631; 97B.635; 97B.911; 97B.915; 97B.921; 97B.925; L 2012 c 277 art 1 s 85*

History: *18 SR 83; 30 SR 613; 35 SR 505; 36 SR 1155; 37 SR 374; 39 SR 1006*

Published Electronically: *January 12, 2015*

6234.2500 [Repealed, 35 SR 505]

Published Electronically: *October 13, 2010*

TAGGING AND REGISTRATION OF PELTS

6234.2600 PELT TAGGING AND REGISTRATION.

Subpart 1. [Repealed, 30 SR 613]

Subp. 2. [Repealed, 30 SR 613]

Subp. 3. **Registration of pelts.** The pelt of each bobcat, fisher, pine marten, and otter must be presented, along with completed site validation coupons for each fisher, pine marten, or otter, by the person taking it, to a state wildlife manager designee for registration before the pelt is sold and before the pelt is transported out of the state, but in no event more than 48 hours after the season closes for each species, respectively. The entire carcass of bobcat and the entire head of pine marten and fisher must be surrendered to the state wildlife manager designee. The pelt of bobcat, otter, fisher, and pine marten must have been removed from the carcass.

Subp. 4. **Prohibition on validation or tagging animals not personally taken.** A person may not validate a site validation coupon or affix any tag or seal to the pelt or carcass of any animal that the person did not take or is not authorized to take.

Subp. 5. **Requirement for tags and seals to remain affixed.** Registration tags or seals must remain affixed to the raw pelt until the pelt is tanned or mounted.

Subp. 6. **Site validation coupons.**

A. Fisher, otter, and pine marten site validation coupons may be obtained at no cost through the electronic licensing system.

B. The site validation coupon is part of the trapper's license to take fisher, otter, and pine marten and must be in the trapper's possession while taking and transporting these species.

C. Site validation coupons are not transferable.

Subp. 7. **Validating coupons.** Site validation coupons must be notched with a knife or other sharp instrument in the appropriate locations indicating the species for fisher or marten, month, date, and time (a.m./p.m.) the animal was taken. The coupon must be validated at and prior to removing the animal from the kill site.

Statutory Authority: *MS s 97B.605; 97B.625; 97B.635; 97B.901; 97B.911; 97B.915; 97B.921; 97B.925*

History: *18 SR 83; 19 SR 2222; 20 SR 2287; 22 SR 292; 30 SR 613; 35 SR 2014; 39 SR 1006*

Published Electronically: *January 12, 2015*

SPECIAL FURBEARER RESTRICTIONS**6234.2700 SPECIAL RESTRICTIONS ON TAKING AND POSSESSION OF FURBEARERS.**

The restrictions in items A to D apply to the possession and transportation of accidental captures.

A. A person may not possess or transport a lynx or wolf that was accidentally killed or was lawfully killed while causing or threatening injury or damage until the person notifies the local conservation officer, other authorized department employee, or regional enforcement office, of the killing and receives authorization to possess, transport, or skin the animal.

B. A person may possess or transport fox, mink, muskrat, beaver, badger, opossum, or raccoon accidentally killed or lawfully killed while causing or threatening injury or damage, only if the local conservation officer or other authorized employee of the department is notified within 24 hours of such killing and before any skinning has begun.

C. A person may possess or transport a fisher, otter, or pine marten that has been accidentally killed or a bobcat that has been either lawfully killed when causing damage or accidentally killed only after notifying the local conservation officer or other authorized employee of the department of such killing. After making the required notification and taking possession of the animal, the person may not skin, transfer possession, or otherwise dispose of the animal until the person receives authorization from a conservation officer or other authorized department employee.

D. A person must report any incidental taking of a Canada lynx to the local conservation officer within 24 hours of the taking.

Statutory Authority: *MS s 97B.605; 97B.911; 97B.915; 97B.921; 97B.925*

History: *18 SR 83; L 2000 c 463 s 22; 36 SR 1155; L 2012 c 277 art 1 s 90*

Published Electronically: *August 9, 2012*

6234.2800 PAYMENT OF PELTING FEES.

If a person recovers, treats, preserves, or transports the pelt of any fur-bearing animal that was accidentally killed, or lawfully killed while causing or threatening injury or damage, the person may be entitled to a pelting fee equal to 50 percent of the average value of a pelt in the lot of fur in which the pelt was sold or 50 percent of the proceeds of the sale of the pelt if not sold in a lot of fur, not to exceed \$25 per pelt. A pelting fee will not be paid on muskrats.

Statutory Authority: *MS s 97A.055; 97B.605; and others at 19 SR 6*

History: *19 SR 484; 20 SR 2287; 30 SR 613*

Published Electronically: *June 11, 2008*

6234.2900 PELTING FEE RESTRICTIONS.

The provisions in items A and B apply to the payment of pelting fees.

A. A person must provide the pelt and carcass to the commissioner at the earliest opportunity.

B. Claims for pelting fees must be submitted on forms provided by the commissioner. Claims will not be paid until the commissioner has certified that the claimant has used due care in recovering, treating, preserving, and transporting the pelt to maintain its value.

Statutory Authority: *MS s 97A.055; and others at 19 SR 6*

History: *19 SR 484*

Published Electronically: *June 11, 2008*

PREDATOR CONTROL

6234.3000 CERTIFICATION FOR PREDATOR CONTROL.

Subpart 1. **Certification required.** A person may not participate in the predator control program unless the person is certified.

Subp. 2. **Application process.** Application for certification as a predator controller may be made on forms provided by the commissioner to a conservation officer in the applicant's county of residence on forms provided by the commissioner. The application shall include a summary of the applicant's experience and skill as a trapper or hunter.

Subp. 3. **Predator controller qualification requirements.** A person will not be certified unless the person completes all information requested on the application and meets the following qualifications:

A. for three years prior to the date of application, the person must not have been convicted of a violation of Minnesota Statutes, sections 97B.601 to 97B.671 or 97B.901 to 97B.951, or a rule of the commissioner relating to furbearing animals; and

B. the person must either demonstrate or attest to the person's skill in hunting or trapping, including the ability to distinguish signs, tracks, and trails of predators.

Subp. 4. **Revocation of certification.** A certificate may be revoked if the controller is inactive in the program for 24 consecutive months.

Subp. 5. [Repealed, 35 SR 505]

Statutory Authority: *MS s 97B.671; and others at 19 SR 6*

History: *19 SR 484; 19 SR 2222; 35 SR 505*

Published Electronically: *October 13, 2010*

6234.3100 DESIGNATED CONTROL AREAS AND DATES OF OPERATION.

Subpart 1. **Reporting of damage.** Predator damage must be reported to a conservation officer on forms provided by the commissioner.

Subp. 2. **Designation of corrective action.** If it is determined that corrective action in an area is necessary, a directive will be issued designating:

A. the predator control area. The open area may not exceed a one-mile radius surrounding the damage site for coyotes and a one-half mile radius for fox;

B. the species of predators to be taken;

C. the allowable methods of control; and

D. the effective dates. Between October 1 and the last day of February no areas may be open for predator control for more than 30 days. All control activities must cease at the expiration of the date specified in the directive. If an earlier date is not specified, all open areas close on October 1.

Subp. 3. **Notification of eligible predator controllers.** When a predator control area has been opened, all certified predator controllers within 20 road miles of the control site will be notified. Additional predator controllers, more than 20 road miles from the control site, may be notified if necessary to abate the damage.

Statutory Authority: *MS s 97B.671; and others at 19 SR 6*

History: *19 SR 484; 19 SR 2222*

Published Electronically: *June 11, 2008*

6234.3200 USE OF SNARES FOR PREDATOR CONTROL.

Certified predator controllers may use snares statewide at any time when participating in the predator control program.

Statutory Authority: *MS s 97B.671; and others at 19 SR 6*

History: *19 SR 484*

Published Electronically: *June 11, 2008*

6234.3300 PROHIBITED METHODS OF PREDATOR CONTROL.

Subpart 1. **Motor vehicles.** Predators may not be taken from motor vehicles, airplanes, or snowmobiles.

Subp. 2. **Poison.** Poison may not be used in taking predators.

Statutory Authority: *MS s 97B.671; and others at 19 SR 6*

History: *19 SR 484*

Published Electronically: *June 11, 2008*

6234.3400 COMPENSATION FOR PREDATOR CONTROL.

Subpart 1. **Presentation of carcass.** A predator controller must, within 48 hours, present the entire unskinned carcass of each predator to the conservation officer in the county where taken. The conservation officer must remove the front feet and the ears from the unskinned carcass. The remaining carcass is the property of the predator controller and must be immediately removed.

Subp. 2. **Identification of sites and methods.** Controllers must, upon request, specifically identify the method used to take the predator and the site where each predator for which payment is claimed was taken.

Subp. 3. **Payment schedule.** The payments in items A and B will be made for predators taken according to this part.

A. For predators taken from March 1 through September 30:

(1) coyote (Brush Wolf), \$45; and

(2) fox, \$15.

B. For predators taken from October 1 through the last day in February:

(1) coyote (brush wolf), \$30; and

(2) fox, \$10.

Statutory Authority: *MS s 97B.671; and others at 19 SR 6*

History: *19 SR 484; 19 SR 2222*

Published Electronically: *June 11, 2008*

TAKE A KID HUNTING

6234.3500 TAKE A KID HUNTING.

Take A Kid Hunting Weekend, as provided by Minnesota Statutes, section 97A.445, is the weekend beginning on the Saturday nearest September 23.

Statutory Authority: *MS s 97A.445*

History: *18 SR 83*

Published Electronically: *June 11, 2008*