

1 Department of Natural Resources

2 Adopted Permanent Rules Relating to Ecological Services

3 6133.0080 GAME FISH.

4 Subpart 1. General. Except for fish covered in subpart 3,  
5 the values in this subpart apply. For fish species that do not  
6 have a designated quality size, or for fish that have a total  
7 length equal to or less than the designated quality size, the  
8 restitution value is the base value shown in the following  
9 table. For fish that have a length that exceeds the designated  
10 quality size, the restitution value is the base value plus \$10  
11 for every inch over the quality size.

	Base Value	Quality size in inches
12		
13		
14	A. Walleye	\$ 30 22
15	B. Sauger	30 15
16	C. Northern pike	30 32
17	D. Black bass (largemouth,	
18	smallmouth)	30 16
19	E. Sunfish (bluegill,	
20	pumpkinseed, green	
21	sunfish, orange	
22	spotted sunfish,	
23	longear sunfish,	
24	warmouth, hybrid	
25	sunfish)	5 8
26	F. White and black crappie	5 11
27	G. Yellow perch	10 10
28	H. Rock bass	5 8
29	I. White bass, yellow bass	5 9
30	J. Channel catfish	10 26
31	K. Flathead catfish	25 28
32	L. Chinook salmon	50 28
33	M. Coho, Atlantic salmon	30 20
34	N. Kokanee, pink, other	
35	salmon	30 17
36	O. Lake trout	50 22
37	P. Splake	50 15
38	Q. Brook trout	30 17
39	R. Brown trout	30 21
40	S. Rainbow (steelhead) trout	30 23
41	T. Paddlefish	500
42		

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SERVICES

- 1 U. Shovelnose sturgeon 200
- 2 V. Sturgeon hybrids same value as
- 3 morphologically
- 4 nearest parent
- 5

6 Subp. 2. Muskellunge. The restitution values for  
 7 muskellunge are as follows:

- 8 A. 4 to less than 30 inches, \$40;
- 9 B. 30 to less than 40 inches, \$200;
- 10 C. 40 to less than 50 inches, \$500; and
- 11 D. 50 inches and over, \$1,000 plus \$100 for each inch
- 12 over 50 inches.

13 Subp. 3. Game fish less than four inches. The restitution  
 14 values for fish that are less than four inches in length are as  
 15 follows:

- 16 A. green or orange spotted sunfish less than four
- 17 inches in length, no value;
- 18 B. yellow perch and members of the Centrarchidae
- 19 family (bluegill, pumpkinseed, longear sunfish, warmouth, hybrid
- 20 sunfish, black bass, rock bass, and crappie), except for green
- 21 or orange spotted sunfish, that are less than four inches in
- 22 length, ten cents per fish;
- 23 C. walleye taken on Lake Superior or in St. Louis bay
- 24 that are less than two inches in length, ten cents per fish; and
- 25 D. all other game fish that are less than four inches
- 26 in length and not included in items A to C, \$1 per fish.

27 Subp. 4. Lake sturgeon. The restitution values for lake  
 28 sturgeon are as follows:

- 29 A. four to less than 40 inches, \$500;
- 30 B. 40 to less than 50 inches, \$1,000; and

1 C. 50 inches and over, \$1,000 plus \$100 for each inch  
2 over 50 inches.

3 6136.0100 PURPOSES.

4 The legislature has provided for creation and establishment  
5 of scientific and natural areas for the purpose of preserving,  
6 protecting, and managing lands or waters possessing inherent  
7 natural values, including soils, waters, or sediments, sites of  
8 scientific value, habitats of rare or endangered species of  
9 plants and animals, places of historic or prehistoric interest  
10 and scenic beauty, and areas uniquely suitable for teaching  
11 natural history and conservation.

12 The purpose of parts 6136.0100 to 6136.0600 is to provide  
13 for the management of scientific and natural areas for public  
14 use, educational and research purposes in such manner and by  
15 such means as will leave them conserved for future generations.

16 6136.0200 POLICY.

17 Notwithstanding parts 6136.0400 and 6136.0550, the  
18 commissioner of natural resources, the commissioner's agents and  
19 employees, those persons operating under contract with the  
20 Department of Natural Resources, and law enforcement officers  
21 may take such steps as may be necessary to enforce this chapter  
22 and to establish, maintain, manage, and operate scientific and  
23 natural areas.

24 6136.0300 DEFINITIONS.

25 Subpart 1. **Scope.** For the purposes of this chapter, the  
26 terms defined in this section have the following meanings.

1 Subp. 2. **Commissioner.** "Commissioner" means the  
2 commissioner of the Department of Natural Resources.

3 Subp. 3. [See repealer.]

4 Subp. 4. [See repealer.]

5 Subp. 5. [See repealer.]

6 Subp. 6. **Motor vehicle.** "Motor vehicle" means any  
7 self-propelled vehicle and any vehicle propelled or drawn by a  
8 self-propelled vehicle including, but not limited to,  
9 automobiles, trucks, dune buggies, mini-bikes, motorcycles,  
10 trail bikes, all terrain vehicles, and snowmobiles.

11 Subp. 7. **Person.** "Person" means any individual,  
12 partnership, corporation, or association.

13 Subp. 8. **Scientific and natural area.** "Scientific and  
14 natural area" means any area so designated by the commissioner  
15 of natural resources under the authority of Minnesota Statutes,  
16 section 84.033.

17 Subp. 9. **Watercraft.** "Watercraft" means any contrivance  
18 used or designed for navigation or travel on or under water,  
19 except a seaplane.

20 Subp. 10. [See repealer.]

21 6136.0400 USE OF SCIENTIFIC AND NATURAL AREAS.

22 Subpart 1. **Open to the public.** Each scientific and  
23 natural area designated as a public use unit as provided by  
24 Minnesota Statutes, section 86A.05, subdivision 5, is open to  
25 the public subject to the provisions of this part and part  
26 6136.0550.

27 Subp. 2. **Environmental protection.** It is unlawful for any

1 person to destroy, injure, damage, molest, or remove any natural  
2 resources within scientific and natural areas, including but not  
3 limited to, trees; vegetation; ruins; relics; birds, fish, or  
4 other animals; or geological formations, except as provided by a  
5 permit or designation order in part 6136.0550, subpart 5 or 6.

6 It is unlawful for any person, excepting state agents  
7 acting in their official capacity, to destroy, damage, deface,  
8 or remove any public property or private property belonging to  
9 another, including but not limited to, signs and research,  
10 testing, or monitoring equipment, within scientific and natural  
11 areas.

12 6136.0550 RESTRICTED USES AND ACTS.

13 Subpart 1. General restrictions. The following activities  
14 are prohibited in scientific and natural areas unless  
15 specifically authorized by written permit under subpart 5 or  
16 commissioner's designation order under subpart 6:

- 17 A. camping and picnicking;
- 18 B. burning of any kind;
- 19 C. disposal of garbage, refuse, sewage, or trash;
- 20 D. swimming, boating, or use of any type of  
21 watercraft;
- 22 E. fishing;
- 23 F. hunting, trapping, or possession of an uncased or  
24 loaded firearm, an uncased and strung bow, a trap, a slingshot,  
25 or explosives;
- 26 G. operation of a bicycle or motorized vehicle,  
27 except in designated parking areas;

- 1 H. landing aircraft;
- 2 I. possession of horses or other pet animals or  
3 allowing entry of horses or other pet animals;
- 4 J. consumption of alcoholic beverages;
- 5 K. commercial activities, including peddling,  
6 soliciting, and advertising; and
- 7 L. private events or group activities, including  
8 orienteering, geo-caching, and athletic or social events, which  
9 are advertised or organized for purposes other than nature  
10 observation, education, or research, ~~including orienteering,~~  
11 ~~geo-caching, and athletic or social events.~~

12 Subp. 2. **Abandonment.** A person may not store or abandon  
13 property in a scientific and natural area.

14 Subp. 3. **Structures.** A person may not erect, construct,  
15 or maintain a dock, fence, stand, sign, post, blind, or other  
16 structure within a scientific and natural area, except stands as  
17 provided under subpart 4 and blinds in an authorized watercraft  
18 and except as provided by a permit issued under subpart 5.

19 Subp. 4. **Stands.** A person may use an elevated scaffold or  
20 stand if it is removed each day at the close of shooting hours  
21 and does no damage to trees or other vegetation. A person may  
22 not use a portable stand that is nailed, spiked, or screwed into  
23 a tree or that otherwise damages the bark of a tree. A person  
24 may not use spikes, nails, steps, or other devices that are  
25 driven or screwed into trees.

26 Subp. 5. **Permits.**

27 A. The commissioner may issue permits to conduct an

1 activity otherwise prohibited, provided the activity would not  
2 harm the resources of a scientific and natural area. The permit  
3 application must be submitted on a form provided by the  
4 commissioner. The commissioner shall consider the following  
5 criteria to determine if a permit should be issued:

6 (1) the activity will advance knowledge,  
7 understanding, interpretation, or management of scientific and  
8 natural areas;

9 (2) alternative locations for carrying out the  
10 activity are not available or not in close proximity;

11 (3) the activity will not substantially interfere  
12 with other public use, research, educational, or management  
13 activities;

14 (4) there are no reasonable alternatives for  
15 conducting the activity; and

16 (5) the applicant is qualified to conduct the  
17 activities authorized by the permit.

18 B. The commissioner may specify conditions for  
19 permits issued under this subpart to protect scientific and  
20 natural areas and enhance knowledge of scientific and natural  
21 areas, including, but not limited to:

22 (1) limits on the number of people authorized by  
23 the permit;

24 (2) restrictions on when authorized activities  
25 may be conducted, including seasonal, daily, or other time  
26 restrictions;

27 (3) restrictions on where authorized activities

1 may be conducted;

2 (4) restrictions on how authorized activities are  
3 conducted, including specifying methods that may be used to  
4 collect data and plants, animals, relics, or other resources;

5 (5) limits on the quantity or types of plants,  
6 animals, relics, or other resources that may be removed or  
7 collected; and

8 (6) for permits involving collection of plants or  
9 animals, requirements to deposit at the University of Minnesota  
10 at least one voucher specimen for each species collected in a  
11 time frame specified in the permit.

12 Subp. 6. Designation orders.

13 A. A designation order issued under the authority of  
14 Minnesota Statutes, section 84.033, subdivision 1; 86A.05,  
15 subdivision 5; or 86A.07, subdivision 3, must specify prohibited  
16 and allowed activities that are exceptions to this part and part  
17 6136.0400.

18 B. A designation order may allow exceptions to  
19 prohibited activities to enhance public use of a scientific and  
20 natural area or surrounding areas, if the activities are  
21 compatible with the purposes for which the scientific and  
22 natural area was acquired. The following criteria shall be  
23 considered to determine if exceptions to the prohibited  
24 activities should be allowed:

25 (1) the activity occurred prior to designation;

26 (2) the designation of specific areas for  
27 activities will help prevent damage to more sensitive areas;



1 (3) the activity is needed to use a preexisting  
2 travel corridor to access land adjacent to a scientific and  
3 natural area for a special purpose;

4 (4) the activity will enhance access to or  
5 interpretation of the scientific and natural area;

6 (5) allowing the activity will provide  
7 consistency with regulations of adjacent public lands; and

8 (6) the activity will help achieve management  
9 objectives for the scientific and natural area.

10 C. A designation order may include restrictions in  
11 addition to those in this part and part 6136.0400 if necessary  
12 to protect the resources in a scientific and natural area.

13 Restrictions may include, but are not limited to:

14 (1) limits on the number of people that can  
15 engage in an authorized activity;

16 (2) restrictions on when authorized activities  
17 may be conducted, including seasonal, daily, or other time  
18 restrictions;

19 (3) restrictions on where authorized activities  
20 may be conducted; and

21 (4) restrictions on how authorized activities are  
22 conducted.

23 6136.0600 PENALTIES.

24 A person who violates part 6136.0400 or 6136.0550 is guilty  
25 of a petty misdemeanor and shall be punished by a fine of not  
26 more than \$300 per violation.

## 1 6136.0900 NATIVE PRAIRIE BANK ELIGIBILITY REQUIREMENTS.

2 The commissioner shall consider the following criteria to  
3 determine if a tract of land is eligible for inclusion in the  
4 native prairie bank:

5 A. presence of native prairie habitat that has a  
6 diversity of native plant and wildlife species;

7 B. known occurrence of or suitable habitat for rare  
8 species; and

9 C. the tract is near other public land or part of a  
10 larger native prairie complex.

## 11 6216.0250 PROHIBITED INVASIVE SPECIES.

12 Subpart 1. Designation. The species in subparts 2 to 5  
13 and any hybrids, cultivars, or varieties of the species are  
14 designated as prohibited invasive species.

15 Subp. 2. Aquatic plants. The following aquatic plants are  
16 designated as prohibited invasive species:

17 A. African oxygen weed (*Lagarosiphon major*) (Ridley)  
18 Moss ex Wagner;

19 B. aquarium watermoss or giant salvinia (*Salvinia*  
20 *molesta*) Mitchell;

21 C. Australian stonecrop (*Crassula helmsii*) (Kirk)  
22 Cockayne;

23 D. brittle naiad (*Najas minor*) Allioni;

24 E. curly-leaf pondweed (*Potamogeton crispus*)  
25 Linnaeus;

26 F. Eurasian water milfoil (*Myriophyllum spicatum*)  
27 Linnaeus;

- 1 G. European frog-bit (*Hydrocharis morsus-ranae*)  
2 Linnaeus;  
3 H. flowering rush (*Butomus umbellatus*) Linnaeus;  
4 I. hydrilla (*Hydrilla verticillata*) (Carl von  
5 Linnaeus) Royle;  
6 J. Indian swampweed (*Hygrophila polysperma*)  
7 (Roxburgh) T. Anders;  
8 K. purple loosestrife (*Lythrum salicaria*, *Lythrum*  
9 *virgatum*, or any variety, hybrid, or cultivar thereof) Linnaeus;  
10 L. water aloe or water soldiers (*Stratiotes aloides*)  
11 Linnaeus; and  
12 M. water chestnut (*Trapa natans*) Linnaeus.

13 Subp. 2a. Federal noxious weed list. For purposes of this  
14 part, the aquatic plants listed in Code of Federal Regulations,  
15 title 7, section 360.200, are also designated as prohibited  
16 invasive species except for Chinese water spinach (*Ipomoea*  
17 *aquatica*) Forsskal.

18 Subp. 3. Fish. The following fish are designated as  
19 prohibited invasive species:

- 20 A. bighead carp (*Hypophthalmichthys nobilis*)  
21 Richardson;  
22 B. black carp (*Mylopharyngodon piceus*) (Richardson)  
23 Peters;  
24 C. grass carp (*Ctenopharyngodon idella*) Valenciennes;  
25 D. northern snakehead fish (*Channa argus*);  
26 E. round goby (*Neogobius melanostomus*);  
27 F. rudd (*Scardinius erythrophthalmus*) Linnaeus;

- 1 G. ruffe (*Gymnocephalus cernuus*) Linnaeus;  
 2 H. sea lamprey (*Petromyzon marinus*) Linnaeus;  
 3 I. silver carp (*Hypophthalmichthys molitrix*)  
 4 Valenciennes;  
 5 J. tubenose goby (*Proterorhinus marmoratus*) Pallas;  
 6 K. white perch (*Morone americana*) Gmelin; and  
 7 L. zander (*Stizostedion lucioperca*) Linnaeus.

8 Subp. 4. Invertebrates. The following invertebrates are  
 9 designated as prohibited invasive species:

- 10 A. New Zealand mud snail (*Potamopyrgus antipodarum*)  
 11 Gray; and  
 12 B. zebra mussel (*Dreissena* spp.).

13 Subp. 5. Mammals. The following mammals are designated as  
 14 prohibited invasive species:

- 15 A. Asian raccoon dog, also known as finnraccoon  
 16 (*Nyctereutes procyonoides*);  
 17 B. Eurasian swine, European wild boar (*Sus scrofa*  
 18 *scrofa*) Linnaeus;  
 19 C. European rabbit (*Oryctolagus cuniculus*); and  
 20 D. nutria, any strain (*Mycocastor coypu*).

21 6216.0260 REGULATED INVASIVE SPECIES.

22 Subpart 1. Designation. The species in subparts 2 to 5  
 23 are designated as regulated invasive species.

24 Subp. 2. Aquatic plants. The following aquatic plants are  
 25 designated as regulated invasive species:

- 26 A. Brazilian waterweed (*Egeria densa*) Planchon;  
 27 B. Carolina fanwort or fanwort (*Cabomba caroliniana*)

1 A. Gray;

2 C. Chinese water spinach (*Ipomoea aquatica*) Forsskal;

3 D. parrot's feather (*Myriophyllum aquaticum*) (da

4 Conceicao Vellozo) Verdcourt;

5 E. nonnative waterlilies (*Nymphaea* spp.) Linnaeus, or

6 any variety, hybrid, or cultivar thereof. Native Minnesota

7 waterlilies are: *Nymphaea odorata* Aiton subsp. *odorata* Aiton,

8 *N. leibergii* Morong, and *N. odorata* Aiton

9 subsp. *tuberosa* (Paine) Wiersema & Hellquist; and

10 F. yellow iris or yellow flag (*Iris pseudacorus*)

11 Linnaeus.

12 Subp. 3. Fish. The following fish are designated as

13 regulated invasive species:

14 A. alewife (*Alosa pseudoharengus*) Wilson;

15 B. common carp, koi (*Cyprinus carpio*) Linnaeus;

16 C. goldfish (*Carassius auratus*) Linnaeus;

17 D. rainbow smelt (*Osmerus mordax*) Mitchell; and

18 E. tilapia (*Tilapia, Oneochromis, Sartheradon* spp.).

19 Subp. 4. Invertebrates. The following invertebrates are

20 designated as regulated invasive species:

21 A. Chinese mystery snail, Japanese trap door snail

22 (*Cipangopaludina* spp.) Hannibal;

23 B. rusty crayfish (*Orconectes rusticus*) Girard; and

24 C. spiny water flea (*Bythotrephes cederstroemi*)

25 Schoedler.

26 Subp. 5. Birds. The following birds are designated as

27 regulated invasive species:

- 1 A. Egyptian goose (*Alopochen aegyptiaus*) Linne;
- 2 B. mute swan (*Cygnus olor*) Gmelin; and
- 3 C. Sichuan pheasant (*Phasianus colchicus strachi*).

4 6216.0350 DESIGNATED INFESTED WATERS.

5 Subpart 1. Designation listings. The water bodies listed  
 6 in this part are designated as infested with the species  
 7 indicated. Activities at these waters are subject to the  
 8 invasive species rules in parts 6216.0100 to 6216.0600 and  
 9 Minnesota Statutes, chapter 84D. A lake in more than one county  
 10 is listed under the county corresponding to its protected waters  
 11 inventory number, but the designation applies to the entire lake.

12 Subp. 2. Listing of waters infested with brittle naiad.  
 13 The following water body is designated as infested with brittle  
 14 naiad (*Najas minor*).

15		DNR Protected Waters
16	Name	Inventory Number
17		
18	Dakota County	
19		
20	Lac Lavon	19-0446
21		

22 Subp. 3. Listing of waters infested with Eurasian water  
 23 milfoil. The following water bodies are designated as infested  
 24 with Eurasian water milfoil (*Myriophyllum spicatum*) and its  
 25 hybrids.

26		DNR Protected Waters
27	Name	Inventory Number
28		
29	A. Anoka County	
30	(1) Cenaiko Lake	02-0654
31	(2) Centerville Lake	02-0006
32	(3) Coon Lake	02-0042
33	(4) Crooked Lake	02-0084
34	(5) Lake George	02-0091

1	(6) Otter Lake	02-0003
2	(7) Peltier Lake	02-0004
3	(8) Unnamed lake in	
4	Springbrook Nature Center	02-0688
5		
6	B. Blue Earth County	
7	(1) Lura Lake	07-0079
8		
9	C. Carver County	
10	(1) Ann Lake	10-0012
11	(2) Auburn Lake	10-0044
12	(3) Burandt	10-0084
13	(4) Bavaria Lake	10-0019
14	(5) Eagle Lake	10-0121
15	(6) Firemen's Lake	10-0226
16	(7) Lotus Lake	10-0006
17	(8) Lake Minnewashta	10-0009
18	(9) Parley Lake	10-0042
19	(10) Pierson Lake	10-0053
20	(11) Riley Lake	10-0002
21	(12) Schutz Lake	10-0018
22	(13) Steiger Lake	10-0045
23	(14) Stone Lake	10-0056
24	(15) Susan Lake	10-0013
25	(16) Lake Virginia	10-0015
26	(17) Lake Waconia	10-0059
27	(18) Wasserman Lake	10-0048
28	(19) Lake Zumbra	10-0041
29		
30	D. Cass County	
31	(1) Leech Lake	11-0203
32		
33	E. Chisago County	
34	(1) Ellen Lake	13-0047
35	(2) Green Lake	13-0041
36	(3) North Lindstrom	13-0035
37	(4) Rush Lake	13-0069
38		
39	F. Crow Wing County	
40	(1) Bay Lake	18-0034
41	(2) Ossawinnamakee Lake	18-0352
42	(3) Ripple River, between	
43	Bay Lake and Tame Fish Lake	
44	(4) Ruth Lake	18-0212
45		
46	G. Dakota County	
47	(1) Crystal Lake	19-0027
48	(2) Earley Lake	19-0033

1	(3) Keller Lake	19-0025
2	(4) Lac Lavon	19-0446
3	(5) Lake Marion	19-0026
4	(6) Schultz Lake	19-0075
5	(7) Sunset Pond	19-0451
6	(8) Twin Lakes	19-0028
7	(9) Unnamed pond in	
8	Valley Park	19-0348
9		
10	H. Douglas County	
11	(1) Oscar Lake	21-0257
12		
13	I. Hennepin County	
14	(1) Arbor Lake located in the	
15	S1/2 of the SW1/4 of	
16	S23, T119N, R22W	
17	(2) Arbor Lake North located	
18	in the NW1/4 of the SW1/4	
19	of S23, T119N, R22W	
20	(3) Arbor Lake West	27-1130
21	(4) Arrowhead Lake	27-0045
22	(5) Bass Lake	27-0098
23	(6) Brownie Lake	27-0038
24	(7) Bryant Lake	27-0067
25	(8) Bush Lake	27-0047
26	(9) Lake Calhoun	27-0031
27	(10) Cedar Lake	27-0039
28	(11) Christmas Lake	27-0137
29	(12) Dutch Lake	27-0181
30	(13) Eagle Lake	27-0111
31	(14) Fish Lake	27-0118
32	(15) Forest Lake	27-0139
33	(16) Galpin Lake	27-0144
34	(17) Gleason Lake	27-0095
35	(18) Lake Harriet	27-0016
36	(19) Hiawatha Lake	27-0018
37	(20) Lake Independence	27-0176
38	(21) Lake of the Isles	27-0040
39	(22) Libbs Lake	27-0085
40	(23) Little Long Lake	27-0179
41	(24) Long Lake	27-0160
42	(25) Medicine Lake	27-0104
43	(26) Minnehaha Creek	27-0000
44	(27) Lake Minnetonka	27-0133
45	(28) Mitchell Lake	27-0070
46	(29) Niccum's pond located	
47	in the NW1/4 of the SW1/4 of	
48	S10, T117N, R24W	private
49	(30) Lake Nokomis	27-0019
50	(31) Parker's Lake	27-0107
51	(32) Peavy Lake	27-0138
52	(33) Lake Rebecca	27-0192



1	(34) Rice Lake	27-0116
2	(35) Round Lake	27-0071
3	(36) Lake Sarah	27-0191
4	(37) Schmidt Lake	27-0102
5	(38) Snelling Lake	27-0001
6	(39) Swan Lake located	
7	in the NW1/4 of the NW1/4	
8	of S4, T117N, R23W	
9	(40) Tanager Lake	27-0141
10	(41) Unnamed wetland	27-0900
11	(42) Whaletail Lake	27-0184
12	(43) Wirth Lake	27-0037
13	(44) Wolfe Lake	27-0664
14		
15	J. Isanti County	
16	(1) Green Lake	30-0136
17		
18	K. Itasca County	
19	(1) Ice Lake	31-0372
20	(2) McKinney Lake	31-0370
21	(3) North Twin Lake	31-0190
22		
23	L. Kanabec County	
24	(1) Knife Lake	33-0028
25		
26	M. Kandiyohi County	
27	(1) Green Lake	34-0079
28	(2) Norway Lake	34-0251
29		
30	N. Le Sueur County	
31	(1) East Jefferson Lake	40-0092
32	(2) German Lake	40-0063
33		
34	O. Meeker County	
35	(1) Lake Manuella	47-0050
36	(2) Ripley Lake	47-0134
37	(3) Stella Lake	47-0068
38	(4) Lake Washington	47-0046
39	(5) Wolf Lake	47-0016
40		
41	P. Mille Lacs County	
42	(1) Lake Mille Lacs	48-0002
43	(2) from the mouths of each	
44	tributary of Lake Mille Lacs	
45	upstream to the first public	
46	road	48-0000
47		

- 1 Q. Morrison County
- 2 (1) Lake Alexander 49-0079
- 3
- 4 R. Olmsted County
- 5 (1) George Lake 55-0008
- 6
- 7 S. Pine County
- 8 (1) Cross Lake 58-0119
- 9 (2) Pokegama Lake 58-0142
- 10 (3) Sand Lake 58-0081
- 11 (4) Snake River between Lake
- 12 Pokegama and Cross Lake
- 13 (5) Unnamed gravel pit located
- 14 in S1/2 of S14, T41N, R21W
- 15
- 16 T. Pope County
- 17 (1) Gilchrist Lake 61-0072
- 18 (2) Lake Minnewaska 61-0130
- 19
- 20 U. Ramsey County
- 21 (1) Bald Eagle Lake 62-0002
- 22 (2) Beaver Lake 62-0016
- 23 (3) Birch Lake 62-0024
- 24 (4) Lake Gervais 62-0007
- 25 (5) Island Lake 62-0075
- 26 (6) Keller Lake 62-0010
- 27 (7) Kohlmans Lake 62-0006
- 28 (8) Loeb Lake 62-0231
- 29 (9) McCarron Lake 62-0054
- 30 (10) Lake Owasso 62-0056
- 31 (11) Phalen Lake 62-0013
- 32 (12) Pond six 62-0271
- 33 (13) Pond three located in
- 34 the SE1/4 of the NE1/4
- 35 of S4, T28N, R22W
- 36 (14) Round Lake 62-0012
- 37 (15) Silver Lake 62-0001
- 38 (16) Snail Lake 62-0073
- 39 (17) Spoon Creek, between
- 40 Keller and Phalen Lakes 62-0000
- 41 (18) Sucker Lake 62-0028
- 42 (19) Turtle Lake 62-0061
- 43 (20) Lake Vadnais 62-0038
- 44 (21) Lake Wabasso 62-0082
- 45
- 46 V. Rice County
- 47 (1) Cedar Lake 66-0052
- 48

1	W. St. Louis County	
2	(1) Gilbert Pit Lake	69-1306
3	(2) Horseshoe Lake	69-0503
4		
5	X. Scott County	
6	(1) Lower Prior Lake	70-0026
7	(2) O'Dowd Lake	70-0095
8	(3) Thole Lake	70-0120
9	(4) Upper Prior Lake	70-0072
10		
11	Y. Sherburne County	
12	(1) Eagle	71-0067
13	(2) Little Elk Lake	71-0055
14		
15	Z. Stearns County	
16	(1) unnamed wetland along	
17	Clearwater river	73-0312
18		
19	AA. Todd County	
20	(1) Little Birch Lake	77-0089
21	(2) Sauk Lake	77-0150
22		
23	BB. Waseca County	
24	(1) Clear Lake	81-0014
25		
26	CC. Washington County	
27	(1) Big Marine Lake	82-0052
28	(2) Lake Elmo	82-0106
29	(3) Long Lake	82-0118
30	(4) Powers Lake	82-0092
31	(5) St. Croix River	82-0001
32	(6) Sunset Lake	82-0153
33	(7) White Bear Lake	82-0167
34		
35	DD. Wright County	
36	(1) Augusta Lake	86-0284
37	(2) Beebe Lake	86-0023
38	(3) Buffalo Lake	86-0090
39	(4) Clearwater Lake	86-0252
40	(5) Clearwater River,	
41	downstream of Clearwater Lake	86-0000
42	(6) Deer Lake	86-0107
43	(7) Fish Lake	86-0183
44	(8) French Lake	86-0273
45	(9) Goose Lake	86-0108
46	(10) Howard Lake	86-0199

- 1 (11) Indian Lake 86-0223
- 2 (12) Lake Mary 86-0156
- 3 (13) Little Waverly Lake 86-0106
- 4 (14) Mink Lake 86-0088
- 5 (15) Lake Pulaski 86-0053
- 6 (16) Ramsey Lake 86-0120
- 7 (17) Rock Lake 86-0182
- 8 (18) Sugar Lake 86-0233
- 9 (19) Waverly Lake 86-0114
- 10 (20) Weigand Lake 86-0242

11  
12 EE. Multiple counties

- 13 (1) Mississippi River,
- 14 downstream of St. Anthony Falls

15  
16 Subp. 4. Listing of waters infested with flowering rush.

17 The following water bodies are designated as infested with  
18 flowering rush (*Butomus umbellatus*).

19		DNR Protected Waters
20	Name	Inventory Number

21  
22 A. Anoka County

- 23 (1) Unnamed wetland in the
- 24 NE1/2 of the NE1/4 of S33,
- 25 T31N, R22W

26  
27 B. Becker County

- 28 (1) Detroit Lake 03-0381
- 29 (2) Curfman Lake
- 30 (Deadshot Bay) 03-0363
- 31 (3) Pelican River from
- 32 Detroit Lake to
- 33 Muskrat Lake
- 34 (4) Muskrat Lake 03-0360
- 35 (5) Sallie Lake 03-0359
- 36 (6) Melissa Lake 03-0475

37  
38 C. Dakota County

- 39 (1) Unnamed lake 19-0064

40  
41 D. Itasca County

- 42 (1) North Twin Lake 31-0190
- 43 (2) South Twin Lake 31-0191
- 44 (3) Hart Lake 31-0020

45  
46 E. Rice County

- 1 (1) Cannon Lake 66-0008
- 2 (2) Cannon River from Wells
- 3 Lake to the confluence with
- 4 the Straight River
- 5 (3) Wells Lake 66-0010

7 F. Todd County

- 8 (1) Sauk River from Juergens
- 9 Lake to Mud Lake

11 G. Washington County

- 12 (1) Forest Lake 82-0159

14 Subp. 5. Listing of waters infested with New Zealand mud

15 snail. The following water bodies are designated as infested  
16 with New Zealand mud snail.

17	18 Name	19 DNR Protected Waters
20	Multiple counties	20 Inventory Number

- 21 (1) Lake Superior 16-0001
- 22 (2) St. Louis River, downstream
- 23 of the Fond du Lac Dam

25 Subp. 6. Listing of waters infested with round goby. The  
26 following water bodies are designated as infested with round  
27 goby (*Neogobius melanostomus*).

28	29 Name	30 DNR Protected Waters
31	Multiple counties	31 Inventory Number

- 32 (1) Lake Superior 16-0001
- 33 (2) St. Louis River,
- 34 downstream of the
- 35 Fond du Lac Dam

37 Subp. 7. Listing of waters infested with ruffe. The  
38 following water bodies are designated as infested with ruffe  
39 (*Gymnocephalus cernuus*).

40	41 Name	DNR Protected Waters
		Inventory Number

1  
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43

Multiple counties

- (1) Lake Superior 16-0001
- (2) St. Louis River,  
downstream of the  
Fond du Lac Dam

Subp. 8. Listing of waters infested with spiny water

flea. The following water bodies are designated as infested with spiny water flea (*Bythotrephes cederstroemi*).

DNR Protected Waters  
Inventory Number

A. Cook County

- (1) Flour Lake 16-0147
- (2) Greenwood Lake 16-0077
- (3) McFarland Lake 16-0027
- (4) Pine Lake 16-0041
- (5) Lake Saganaga 16-0633

B. St. Louis County

- (1) Fish Lake 69-0491
- (2) Island Lake 69-0372
- (3) Rainy Lake 69-0694

C. Multiple counties

- (1) Lake Superior 16-0001
- (2) Cloquet River from  
Island Lake to the  
St. Louis River
- (3) St. Louis River, downstream  
of the Cloquet River

Subp. 9. Listing of waters infested with white perch. The

following water bodies are designated as infested with white perch (*Morone americana*).

DNR Protected Waters  
Inventory Number

Multiple counties

- (1) Lake Superior 16-0001
- (2) St. Louis River,  
downstream of the

Fond du Lac Dam

Subp. 10. Listing of waters infested with zebra mussels.

The following water bodies are designated as infested with zebra mussels (*Dreissena* spp.).

DNR Protected Waters Inventory Number

A. Benton County

- (1) Little Rock Lake Channel 5-0012
- (2) Little Rock Lake 5-0013

B. Crow Wing County

- (1) Black Bear Lake 18-0140
- (2) Boom Lake 18-0529
- (3) Half-Moon Lake 18-0238
- (4) Little Rabbit Lake 18-0139
- (5) Miller Lake 18-0133
- (6) Ossawinnamakee Lake 18-0352
- (7) Pelican Brook from the source at Ossawinnamakee Lake to the Pine River
- (8) Pickerel Lake 18-0232
- (9) Pine River from the mouth of Pelican Brook to the Mississippi River
- (10) Rice Lake 18-0145
- (11) Unnamed 18-0235
- (12) Unnamed wetland located in the NE1/4 of the SW1/4 of S3, T135, R27
- (13) Unnamed wetland located in the NE1/4 of the SE1/4 of S2, T46, R30
- (14) Unnamed wetland located in the NE1/4 of the SW1/4 of S2, T46, R30
- (15) Unnamed wetland located in the NE1/4 of the NE1/4 of S33, T135, R27
- (16) Unnamed wetland located in the NW1/4 of the NE1/4 of S33, T46, R30

C. Mille Lacs County

- (1) Lake Mille Lacs 48-0002
- (2) All tributaries to Lake Mille Lacs from the

- 1 mouth to the first public
- 2 road
- 3 (3) Ogechie Lake 48-0014
- 4 (4) Onamia Lake 48-0009
- 5 (5) Shakopee Lake 48-0012
- 6
- 7 D. Olmsted County
- 8 (1) Lake Zumbro 55-0004
- 9
- 10 E. Washington County
- 11 (1) St. Croix River, downstream
- 12 of the St. Croix Boomsite
- 13 Recreation Area at river
- 14 mile 25.4
- 15
- 16 F. Wright County
- 17 (1) Fish Lake 86-0183
- 18
- 19 G. Multiple counties
- 20 (1) Lake Superior 16-0001
- 21 (2) Mississippi River,
- 22 from the mouth of the Pine
- 23 River in Crow Wing County
- 24 to the Minnesota-Iowa border
- 25 (3) Rum River
- 26 (4) St. Louis River,
- 27 downstream of the Fond du Lac Dam
- 28 (5) Zumbro River, downstream
- 29 of Lake Zumbro

30 6216.0500 TRANSPORTATION AND APPROPRIATION OF WATER FROM  
 31 INFESTED WATERS.

32 Subpart 1. [See repealer.]

33 Subp. 1a. Diversion, appropriation, and transportation.

34 A. Water from designated infested waters may not be  
 35 diverted to other waters, transported on a public road, or  
 36 transported or appropriated off property riparian to infested  
 37 waters except:

- 38 (1) in emergencies that threaten human safety or
- 39 property;



1 (2) as specified in a water appropriation or  
2 public waters work permit issued by the commissioner according  
3 to Minnesota Statutes, chapter 103G; or

4 (3) under a permit issued according to this part.

5 B. For newly designated infested waters or infested  
6 waters that are newly designated with an additional invasive  
7 species, the commissioner shall review active water  
8 appropriation or public waters work permits issued under  
9 Minnesota Statutes, chapter 103G, and may amend permits to  
10 include conditions that prevent the spread of invasive species.

11 C. The following conditions may be included in  
12 permits issued under this part or Minnesota Statutes, chapter  
13 103G, to prevent the spread of invasive species:

14 (1) seasonal or other timing restrictions;

15 (2) requirements to treat water, including  
16 chemical, ultraviolet, heat, filtering, or other treatment; and

17 (3) requirements for discharge or disposal of  
18 water.

19 Subp. 2. Disposition of water used to transport wild  
20 animals from infested waters. Water used to transport wild  
21 animals from infested waters, including water from waters or  
22 facilities permitted to hold fish from infested waters, may be  
23 disposed of only at sites approved in writing by the  
24 commissioner.

25 Subp. 3. Persons leaving select infested waters. A person  
26 leaving infested waters designated as having populations of  
27 zebra mussel or spiny water flea must drain bait containers,

1 other boating-related equipment holding water excluding marine  
2 sanitary systems, and livewells and bilges by removing the drain  
3 plug before transporting the watercraft and associated equipment  
4 on public roads.

5 Subp. 4. [See repealer.]

6 Subp. 5. **Fish hatchery or aquatic farm operations in**  
7 **infested waters.**

8 A. Natural lakes or wetland basins that are  
9 designated as infested waters will not be licensed by the  
10 department pursuant to Minnesota Statutes, section 17.4984, for  
11 aquatic farms or pursuant to Minnesota Statutes, section  
12 97C.211, as private fish hatcheries.

13 B. Artificial water basins that have populations of  
14 prohibited or regulated invasive species may be used for aquatic  
15 farm or private hatcheries under license by the department.  
16 After notifying a licensee that an artificial water basin has a  
17 prohibited or regulated invasive species, the commissioner may  
18 require that nets, traps, buoys, stakes, and lines that have  
19 been used in such artificial water basins must be dried for a  
20 minimum of ten days, or frozen for a minimum of two days, before  
21 they are used in noninfested waters. All aquatic plants must be  
22 removed from nets and other equipment that are removed from the  
23 artificial water basins.

24 C. The commissioner may license aquatic farm or  
25 private fish hatchery facilities to use infested waters as a  
26 source for the facilities' water. The commissioner may require  
27 that the waters be treated to eliminate prohibited or regulated

1 invasive species.

2 D. Fish raised in artificial water basins that have  
3 populations of prohibited or regulated invasive species, or in  
4 any facility using infested water as a source, must be sold  
5 directly to a wholesale buyer for processing, except:

6 (1) the commissioner may by permit allow the  
7 stocking or transport of such fish where the receiving waters  
8 contain populations of the same prohibited or regulated invasive  
9 species as the source facility's waters; or

10 (2) the commissioner may by permit allow the  
11 stocking or transport of such fish in water bodies that do not  
12 contain populations of prohibited or regulated invasive species  
13 if the source facility uses adequate treatment to remove the  
14 prohibited or regulated invasive species from the facility.

15 Subp. 6. Infested waters diversion or transportation  
16 permits. Applications for permits issued pursuant to this part,  
17 to divert or transport water from infested waters, shall be made  
18 on forms obtained from the commissioner and shall contain  
19 information as the commissioner may prescribe. The department  
20 shall act upon the application within 90 days of receipt.  
21 Failure on the part of the department to act upon the permit  
22 within the required time shall not be construed as approval of  
23 the application. Permits shall state all the conditions and  
24 limitations upon which they are based. A permit may be modified  
25 at any time by the department.

26 6238.0100 DEFINITIONS.

27 Subpart 1. Scope. The terms used in this chapter have the

1 meanings given them in this part.

2 Subp. 2. Bred in captivity or captive-bred. "Bred in  
3 captivity" or "captive-bred" means raptors, including eggs,  
4 hatched or produced in captivity from parents that mated or  
5 otherwise transferred gametes in captivity.

6 Subp. 3. Eyases. "Eyases" means young raptors not yet  
7 capable of sustained flight.

8 Subp. 4. Falconry. "Falconry" means the taking of quarry  
9 by means of a trained raptor.

10 Subp. 4a. Falconry permit. "Falconry permit" means a  
11 permit issued under part 6238.0200, subpart 1, for residents to  
12 take, possess, transport, transfer, use, sell, purchase, barter,  
13 or offer to sell, purchase, or barter raptors.

14 Subp. 5. Passage raptor. "Passage raptor" means a  
15 juvenile raptor less than one year old that is capable of flight.

16 Subp. 6. [See repealer.]

17 Subp. 6a. Propagation permit. "Propagation permit" means  
18 a permit issued under part 6238.0200, subpart 1b, to breed and  
19 raise raptors in captivity.

20 Subp. 7. Raptor. "Raptor" means a live bird of the family  
21 Falconidae, or the great horned owl (*Bubo virginianus*), or of  
22 the family Accipitridae, other than the bald eagle (*Haliaeetus*  
23 *leucocephalus*) and the golden eagle (*Aquila chrysaetos*).

24 Subp. 7a. Raptor permit. "Raptor permit" means a permit  
25 issued under part 6238.0200, subpart 1a, for nonresidents to  
26 take, possess, and transport raptors.

27 Subp. 8. Take. "Take" means to trap, capture, or attempt

1 to trap or capture for falconry purposes.

2 6238.0200 FALCONRY, RAPTOR, AND PROPAGATION PERMITS.

3 Subpart 1. Falconry permit requirements. The commissioner  
4 may issue falconry permits to Minnesota residents. A person may  
5 not take, possess, transport, transfer, use, sell, purchase,  
6 barter, or offer to sell, purchase, or barter raptors or their  
7 eggs without a falconry permit from the commissioner, except as  
8 provided by subparts 1a, 1b, and 2.

9 Subp. 1a. Raptor permit requirements. The commissioner  
10 may issue raptor permits to nonresidents. A nonresident must  
11 have a valid permit or other written documentation that  
12 authorizes the person to practice falconry in the country,  
13 state, province, or territory of the person's residence to be  
14 eligible for a raptor permit. A nonresident may not take,  
15 possess, or transport raptors or their eggs without a raptor  
16 permit, except as provided by subpart 2. Raptor permits may  
17 include conditions to prevent depletion of wild bird  
18 populations, including, but not limited to:

19 A. limits on the number of raptors that may be taken;

20 B. restrictions on which species of raptors may be  
21 taken;

22 C. limits on the geographical area that in which  
23 raptors may be taken; and

24 D. restrictions on when raptors may be taken.

25 Subp. 1b. Propagation permit requirements. The  
26 commissioner may issue propagation permits to Minnesota  
27 residents. A person may not breed and raise raptors, or sell,

1 barter, or transfer captive bred raptors or their eggs without a  
2 propagation permit. Propagation permits may include conditions  
3 that specify the location of the propagation facilities,  
4 restrictions on release of birds from captivity, and  
5 requirements for the disposition of dead raptors.

6 Subp. 2. **Nonresident falconry requirements.** A nonresident  
7 who has in possession a valid permit or other written  
8 documentation that authorizes the person to practice falconry in  
9 the country, state, province, or territory of the person's  
10 residence may transport, possess, and use raptors for falconry  
11 purposes without obtaining a raptor permit. Nonresidents may  
12 acquire raptors or their eggs from a person with a falconry or  
13 propagation permit, and possess and transport raptors so  
14 acquired, without obtaining a raptor permit. While in this  
15 state, nonresidents conducting activities under this subpart  
16 must comply with all applicable provisions of this chapter.

17 Subp. 3. **Permit application.** An application for a  
18 falconry, raptor, or propagation permit must be submitted to the  
19 commissioner on a form provided by the commissioner.

20 Subp. 4. **Examination for falconry permit.** A person must  
21 obtain a score of at least 80 percent on a supervised  
22 examination provided by the commissioner before receiving a  
23 falconry permit. A person who fails to score at least 80  
24 percent on the examination must wait a minimum of two weeks  
25 before retaking the examination.

26 Subp. 4a. **Qualifying for propagation permits.** A person  
27 must meet one or more of the following criteria to qualify for a

1 propagation permit:

2           A. the person meets the requirements for a Class II  
3 falconry permit as provided by part 6238.0300;

4           B. the person is conducting research for an  
5 educational or government institution;

6           C. the person has been eligible for a permit to  
7 propagate raptors or its equivalent in another country, state,  
8 province, or territory; or

9           D. the person can demonstrate through written or  
10 other documentation at least two years experience propagating  
11 raptors.

12           Subp. 5. **Inspection.** A person's raptor housing facilities  
13 and falconry equipment must be inspected and approved by the  
14 commissioner before the person receives an initial falconry or  
15 propagation permit. The commissioner may inspect a person's  
16 raptor housing facilities or falconry equipment or require other  
17 documentation, such as photographs, prior to permit renewal or  
18 if the housing facilities or equipment are moved or changed.

19           Subp. 6. **Facility standards.** An applicant for a falconry  
20 permit must possess facilities that meet the requirements in  
21 items A, B, and C. An applicant for a propagation permit must  
22 possess facilities that meet the requirements in items A and C.

23           A. Indoor facilities (mews) must be large enough to  
24 allow easy access for care of the raptors housed in the  
25 facility. Except for raptors housed for propagation, if more  
26 than one raptor is to be kept in the mews, raptors must be  
27 tethered or separated by partitions and the area for each bird

1 must be large enough to allow the bird to fully extend its  
2 wings. There must be a secure door that can be easily closed,  
3 and at least one window, protected on the inside by vertical  
4 bars, spaced narrower than the width of the bird's body. The  
5 floor of the mews must permit easy cleaning and must be well  
6 drained. Adequate perches must be provided. If tethers are  
7 used, they must be at least long enough to allow the birds to  
8 reach the floor or a platform constructed as a base.

9           B. Outdoor facilities (weathering area) must be  
10 fenced and covered with netting or wire, or roofed to protect  
11 the birds from disturbance and attack by predators except that  
12 perches more than 6-1/2 feet high need not be covered or  
13 roofed. Chicken wire may not be used to enclose birds unless  
14 measures are taken to prevent birds from directly contacting the  
15 chicken wire. The enclosed area must be large enough to ensure  
16 the birds cannot strike the fence when flying from the perch.  
17 Protection from excessive sun, wind, and inclement weather must  
18 be provided for each bird. Adequate perches must be provided.  
19 If tethers are used, they must be at least long enough to allow  
20 the birds to reach the ground or a platform constructed as a  
21 base.

22           C. Facilities used to hold raptors must be designed  
23 so that domesticated livestock or fowl cannot access the area  
24 occupied by the raptors.

25           Subp. 7. Equipment standards. An applicant for a falconry  
26 or propagation permit must possess the following equipment:

27           A. at least one pair of Alymeri jesses or similar



1 type constructed of pliable, high-quality leather or suitable  
2 synthetic material, to be used when any raptor is flown free  
3 (traditional one-piece jesses may be used on raptors when not  
4 being flown);

5 B. at least one flexible, weather-resistant leash and  
6 one strong swivel of acceptable falconry design as specified in  
7 information provided by the commissioner;

8 C. at least one suitable drinking and bathing  
9 container for each raptor, two to six inches deep and of a width  
10 and length each greater than the length of the raptor;

11 D. at least one weathering area perch of an  
12 acceptable design, as specified in information provided by the  
13 commissioner, for each raptor; and

14 E. a reliable scale or balance suitable for weighing  
15 a raptor, graduated to increments of not more than one-half  
16 ounce (15 grams).

17 Subp. 8. [See repealer.]

18 6238.0300 FALCONRY PERMIT CLASSES.

19 Specifications for the three classes of falconry permits  
20 are contained in items A to C.

21 A. A Class III (apprentice) permittee:

22 (1) must be at least 14 years old;

23 (2) must be sponsored during the first two years  
24 in which an apprentice permit is held, regardless of the age of  
25 the permittee. The sponsor must be the holder of a Class II  
26 (general) or Class I (master) falconry permit. A sponsor may  
27 not have more than three apprentices at any one time;

1 (3) may not possess more than one raptor and may  
2 not obtain more than one raptor for replacement during any  
3 12-month period;

4 (4) may possess only the following raptors, which  
5 must be taken from the wild: an American kestrel (*Falco*  
6 *sparverius*), or a red-tailed hawk (*Buteo jamaicensis*); and

7 (5) may only take an adult or passage kestrel or  
8 a passage red-tailed hawk from the wild.

9 B. A Class II (general) permittee:

10 (1) must be at least 18 years old;

11 (2) must have at least two years' experience in  
12 the practice of falconry at the Class III level or its  
13 equivalent;

14 (3) may not possess more than two raptors and may  
15 not obtain more than two raptors for replacement birds during  
16 any 12-month period; and

17 (4) may not take, transport, or possess any  
18 species listed as threatened or endangered under state or  
19 federal law.

20 C. A Class I (master) permittee:

21 (1) must have at least five years' experience in  
22 the practice of falconry at the Class II level or its  
23 equivalent;

24 (2) may not possess more than three raptors and  
25 may not obtain more than two raptors taken from the wild for  
26 replacement birds during any 12-month period;

27 (3) may not take any species listed as endangered

1 in state or federal regulations, but may transport or possess  
2 such species in accordance with applicable rules;

3 (4) may not take, transport, or possess any  
4 golden eagle for falconry purposes unless authorized in writing  
5 in accordance with appropriate federal regulations and approved  
6 by the commissioner; and

7 (5) may not take in any 12-month period, as a  
8 part of the three bird limitation, more than one raptor listed  
9 as threatened in state or federal regulations, and then only in  
10 accordance with applicable rules.

11 6238.0400 RESTRICTIONS ON TAKING RAPTORS.

12 Subpart 1. **Eyases.** Eyases may be taken from the wild  
13 during the period of May 27 through July 14. A person must be a  
14 Class I or Class II falconer or have the equivalent  
15 classification in the person's country, state, province, or  
16 territory of residence to take eyases from the wild. No more  
17 than two eyases may be taken by the same permittee during the  
18 calendar year. In all cases at least one eyas must be left in a  
19 given nest.

20 Subp. 2. **Passage raptors.** Passage raptors may be taken  
21 from the wild only during the period of August 21 through  
22 December 29.

23 Subp. 3. **Escaped raptors.** An escaped, marked raptor may  
24 be retrapped at any time.

25 Subp. 4. **American kestrels and great horned owls.** A  
26 person may not take raptors over one year old from the wild,  
27 except for American kestrels and great horned owls, and except

1 that any raptor, other than state or federally listed endangered  
2 or threatened species, may be taken under a depredation or  
3 special purpose permit and used for falconry by Class II or  
4 Class I falconers.

5 Subp. 5. **Raptors taken in Minnesota.** Raptors taken from  
6 the wild for falconry purposes in this state are subject to the  
7 restrictions in items A and B.

8 A. A person who takes a raptor must register the bird  
9 within five days by sending a completed Federal Form 3-186A to  
10 the commissioner.

11 B. Raptors may be transferred as gifts between  
12 holders of falconry, propagation, or raptor permits. The  
13 recipient must report the transfer to the commissioner within  
14 five working days.

15 Subp. 6. **Raptors taken outside Minnesota.** Residents who  
16 obtain raptors a raptor outside this state must provide proof of  
17 lawful possession by submitting Federal Form 3-186A to the  
18 commissioner within five days after the raptor is brought into  
19 Minnesota.

20 Subp. 7. **Areas closed to taking raptors.** Raptors may not  
21 be taken within state parks or scientific and natural areas,  
22 state wildlife management areas, or state game refuges unless  
23 specifically authorized in a falconry, raptor, or other permit  
24 from the commissioner. Raptors may not be taken from private  
25 property without permission from the owner.

26 Subp. 8. **Use of traps.** Traps used to capture raptors must  
27 be attended.

1           Subp. 9. **Peregrine falcon restrictions.** If the peregrine  
2 falcon is removed from listing in part 6134.0200, subpart 2, the  
3 commissioner may limit the number of this species that may be  
4 taken each year to prevent population depletion. These limits  
5 must be based on estimated population size and expected hatch  
6 and may be applied to a specific geographical area. A falconry  
7 or raptor permit may include conditions that specify where and  
8 when peregrine falcons may be taken.

9 **6238.0800 REPORTING AND MARKING OF RAPTORS.**

10           Subpart 1. **Banding requirement.** All raptors taken,  
11 possessed, or transported for falconry or propagation purposes  
12 must be banded. Captive-bred raptors must be banded with a  
13 numbered, seamless band provided by the department regional  
14 office where the permittee's permit is issued, or by the United  
15 States Fish and Wildlife Service. Raptors taken from the wild  
16 must be banded with a permanent, nonreusable band.

17           Subp. 2. **Reporting of raptor acquisition or loss or**  
18 **removal of bands.** All acquisitions of raptors or loss or  
19 removal of any band must be reported within five working days by  
20 submitting a Federal Form 3-186A in accordance with the  
21 instructions on the form. The blue copy must be submitted to  
22 the department regional office where the permittee's permit is  
23 issued.

24           Subp. 3. **United States Fish and Wildlife Service band.** If  
25 the United States Fish and Wildlife Service band affixed to a  
26 raptor becomes illegible, the owner must notify the department  
27 regional office where the permit is issued.

1 6238.0900 REPORTING REQUIREMENTS.

2 Subpart 1. Required reporting for each bird. A person who  
3 takes, purchases, receives, or otherwise acquires, buys, sells,  
4 barters, transfers, or disposes of any raptor, including dead  
5 raptors, must submit, within five working days, a completed  
6 Federal Form 3-186A for each bird to the commissioner.

7 Subp. 2. Change of address. A person with a falconry or  
8 propagation permit must report a change of address to the  
9 department office where the permit is issued within ten days  
10 following the move if the change of address will exceed 30 days.

11 Subp. 3. Reports by permit holders. Holders of falconry  
12 and propagation permits must report to the commissioner, as  
13 requested, listing:

14 A. all raptors in possession, by species, marker  
15 numbers, sex (if known), age (if known), date and where or from  
16 whom acquired;

17 B. all raptors possessed or acquired at any time  
18 during the specified period, but no longer possessed, by  
19 species, marker numbers, sex (if known), age (if known), date  
20 and where or from whom acquired, date and to whom given, if  
21 applicable, or whether escaped, died, or released, and when the  
22 event occurred; and

23 C. all unused markers in possession.

24 6238.1000 PERMIT DURATION AND RENEWAL.

25 Subpart 1. Duration of permits. Falconry and propagation  
26 permits may not exceed three years in duration and expire on

1 September 30 of the year of expiration. Raptor permits may not  
2 exceed one year in duration and expire on December 31 of the  
3 year of expiration. Permits are not transferable.

4 Subp. 2. Renewal of permits. Falconry, raptor, and  
5 propagation permits are renewable. Request for renewal must be  
6 made at least 30 days prior to the permit expiration date.

7 6280.1300 STANDARDS FOR BLACK FLY CONTROL PERMITS.

8 The commissioner may issue a permit to control black fly  
9 larvae in streams subject to the following conditions:

10 A. the permit applicant must collect adult black fly  
11 specimens from the area adjacent to the stream requested for  
12 treatment and larval black fly specimens from the stream to be  
13 treated and provide species identification to the commissioner.  
14 Permit conditions may require an applicant to provide specimens  
15 to a qualified person to verify the species identification;

16 B. only *Bacillus thuringiensis var. israelensis* (Bti)  
17 may be approved for control of black fly larvae. Permit  
18 conditions may include specifications to minimize impacts to  
19 nontarget species, including, but not limited to, the location  
20 and timing of treatments;

21 C. a permit applicant must monitor the treated area  
22 before and after the treatment. Permit conditions may include  
23 specifications on the type and number of samplers to be used,  
24 the timing of placement and removal of samplers, and the data  
25 that needs to be recorded;

26 D. control of black fly larvae is prohibited in  
27 designated trout streams listed in part 6264.0050, subpart 4,

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1 and may be prohibited in other waters to prevent detrimental  
2 impacts to nontarget organisms;

3 E. the permittee must submit a report on forms  
4 provided by the commissioner no later than January 31 of the  
5 year following the treatment; and

6 F. if a permittee fails to comply with permit  
7 conditions, the commissioner may deny future permit applications  
8 from that permittee or the entity represented by that permittee.

9 **REPEALER.** Minnesota Rules, parts 6136.0300, subparts 3, 4, 5,  
10 and 10; 6136.0500; 6216.0500, subparts 1 and 4; 6238.0100,  
11 subpart 6; and 6238.0200, subpart 8, are repealed.