

Department of Natural Resources**Adopted Exempt Permanent Game and Fish Rule: Taking Turtles****6256.0500 TAKING TURTLES.**

Subpart 1. **Scope.** This part applies to individuals possessing a ~~turtle seller's, turtle seller's apprentice, or recreational turtle license or~~ and an angling license or acting under Minnesota Statutes, section 97C.605, subdivision 2c, paragraph (a), item (4). The following turtle species may be taken: western painted turtle (*Chrysemys picta bellii*); and snapping turtle (*Chelydra serpentina*), and spiny softshell (*Apalone spinifera*). A person possessing ~~or selling~~ turtles or turtle eggs under this part must also comply with other state and federal laws that regulate these activities.

[For text of subparts 2 to 8, see Minnesota Rules]

Subp. 9. **Size limits.** ~~A turtle seller, turtle seller's apprentice, or recreational turtle licensee or a person harvesting turtles under an angling license is~~ Individuals are restricted to taking and possessing sizes of turtles as specified in items A to C and B. The turtle size is determined by measuring the top shell length (carapace, not including the curvature) from above the neck to above the tail.

~~A. Spiny softshells (*A. spinifera*) must be greater than 12 inches in shell length.~~

~~B. A.~~ Snapping turtles (*Chelydra serpentina*) must be greater than 12 inches in shell length.

~~C. B.~~ Western painted turtles (*Chrysemys picta*) must be between four and 5-1/2 inches or smaller, inclusive, in shell length, except persons acting under Minnesota Statutes, section 97C.605, subdivision 2c, clause (4), may take and possess western painted turtles of any length greater than four inches.

Subp. 10. **Turtle nests and eggs.**

A. A person may not collect turtle eggs from natural nests, except under a permit issued by the commissioner.

B. ~~A person with a turtle seller's license may not possess or sell turtle eggs, except as provided in item C.~~ A person must have an aquatic farm license with a turtle endorsement or a private fish hatchery license with a turtle endorsement to possess or sell turtle eggs, as allowed by federal law, or to keep turtles for propagation.

C. ~~A person with a turtle seller's license may take the eggs from legally harvested gravid turtles and must place the eggs back into man-made nests in the wild within 48 hours of taking the eggs.~~

6256.0600 CLOSED TURTLE SEASONS.

Subpart 1. **Snapping turtles.** A person may not take snapping turtles during the months of May and June, ~~including persons harvesting turtles for personal use under an angling or recreational turtle license and persons harvesting turtles under a commercial netting, turtle seller's, turtle seller's apprentice, aquatic farm, or private fish hatchery license.~~

Subp. 2. [See repealer.]

6256.0900 TURTLE PROPAGATION.

[For text of subparts 1 to 4, see Minnesota Rules]

Subp. 5. **Acquisition of brood stock.** A licensee shall apply for a permit to harvest adult turtles from the wild for brood stock. The commissioner shall issue a permit to the licensee to take from the wild, ~~by use of commercial gear,~~ up to 40 turtles of each species requested if:

A. the turtles or gravid turtles are not available for purchase;

~~B. the licensee does not have a turtle seller's license;~~

~~€.~~ B. the commissioner determines that wild populations of the requested species can sustain the harvest; and

~~Đ.~~ C. a permit to harvest turtle brood stock from the wild has not been issued to the licensee for the species requested in the last three years.

Game and fish laws and rules relating to daily limits, seasons, and methods apply to the taking of turtles pursuant to a permit issued under this subpart.

[For text of subparts 6 to 9, see Minnesota Rules]

REPEALER. Minnesota Rules, part 6256.0600, subpart 2, is repealed.