

Minnesota Attorney General: Administrative Rules Proceedings

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** TRANSMIT CONFIRMATION REPORT **

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STATE OF MINNESOTA

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ATTORNEY GENERAL

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DATE: 11/5/93 TIME: _____ NO. OF PAGES: 6
(Including this Page)

TO: Chuck Armstrong - DNR - 500 Lafayette
6-4799

FROM: Amy V. Kvaleth

MESSAGE:

IF THERE ARE PROBLEMS RECEIVING THIS TRANSMISSION, PLEASE CALL:

Julie Jackson AT (612) 7-5915

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STATE OF MINNESOTA

Office of the Attorney General

TO : CHUCK ARMSTRONG
DNR - 500 Lafayette
6th Floor, Box 33
Fax 296-4799

DATE : November 5, 1992

FROM : AMY V. KVALSETH
Special Assistant
Attorney General

PHONE : 296-9422

SUBJECT : **In the Matter of the Adopted DNR GAME and FISH Rules; Spring Turkey Hunt and Elm Creek Park Reserve Deer Provisions; Minnesota Rules 6232.1700, 6236.0700, 6236.0900, and 6236.1000**

The above-referenced rule has been approved as to legality by the Attorney General on November 5, 1992.

Enclosed is your copy of the approved rule(s). Your next step is to:

1. publish a notice in the State Register, pursuant to Minn. Stat. § 3.846, subd. 2, which contains: (1) a citation to the statutory authority for the exempt rule(s) and, (2) contains two of the certified copies of the rule(s),

2. file a copy of the notice and two certified copies of the rule(s) with the Secretary of State,

3. file a copy of the notice and one copy of the certified rule(s) with the legislative commission to review administrative rules, and

4. retain one certified copy for your rule file.

If you have any questions in this regard, please contact me.

Enclosure

AVK:jj.rules.bd0

Department of Natural Resources

Adopted Emergency Game and Fish Rules; Spring Turkey Hunt and Elm Creek Park Reserve Deer Provisions

ADOPTED EMERGENCY AMENDMENTS TO COMMISSIONER'S ORDERS

6232.1700 SPECIAL HUNT PROCEDURES.

[For text of subps 1 to 4, see 16 SR 2813, 2814]

Subp. 5. **Second choice for unsuccessful hunters in Elm Creek Park Reserve.** Hunters unsuccessful in taking a deer during the Elm Creek Park Reserve hunt, special permit area 909, may be offered a permit for the Crow Hassan Park Reserve hunt, special permit area 908, if there are insufficient applicants for the Crow Hassan hunt.

6236.0700 SPRING TURKEY SEASON.

[For text of subps 1 to 3, see 16 SR 2853]

Subp. 4. **Open areas.** ~~Ten~~ Eleven turkey zones, numbered between 1 and ~~20~~ 21, are open during the spring turkey season.

[For text of subp 5, see 16 SR 2854]

6236.0900 TURKEY ZONE DESCRIPTIONS.

[For text of subps 1 and 2, see 16 SR 2854]

Subp. 3. **Turkey zone 3.** Turkey zone 3 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 52 and ~~U.S. Highway 14, thence along U.S. Highway 14 to County State Aid Highway (CSAH) 7, Olmsted County, thence along CSAH 7 to~~ Interstate (I) 90; thence along I 90 to State Trunk Highway (STH) 43, Winona County; thence along STH 43 to County State Aid Highway (CSAH 28), Fillmore County; thence along CSAH 28 to the south boundary of the state to CSAH 12, Mower County; thence along ~~the south boundary of the state to U.S. Highway 63, thence along U.S. Highway 63 to U.S. Highway 52, thence along U.S. Highway 52~~ STH 56 to CSAH 8; thence along CSAH 8 to I 90; thence along I 90 to the point of beginning.

[For text of subp 4, see 16 SR 2854]

Subp. 5. **Turkey zone 5.** Turkey zone 5 consists of that portion of the state lying within the following described boundary:

Approved by Revisor PER

Beginning at the intersection of U.S. Highway 61 and County State Aid Highway (CSAH) 18, Goodhue County; thence along CSAH 18 to the intersection of U.S. Lock and Dam No. 3 access road located at the north quarter corner of Section 5, Township 113 North, Range 15 West, Goodhue County; thence due east to the east boundary of the state; thence along the east boundary of the state to a point due east of the intersection of the Zumbro River and the Mississippi River; thence due west to the Zumbro River; thence along the Zumbro River to U.S. Highway 61; thence along U.S. Highway 61 to State Trunk Highway (STH) 42; thence along STH 42 to ~~U.S. Highway 14; thence along U.S. Highway 14 to STH 57; thence along STH 57 to CSAH 30, Goodhue County; thence along CSAH 30 to STH 56; thence along STH 56~~ CSAH 7; thence along CSAH 7 to Interstate (I) 90; thence along I 90 to U.S. Highway 52; thence along U.S. Highway 52 to U.S. Highway 14; thence along U.S. Highway 14 to STH 57; thence along STH 57 to CSAH 60 to Interstate (I) 35, Rice County; thence along I 35 to STH 19; thence along STH 19 to STH 20; thence along STH 20 to U.S. Highway 61; thence along U.S. Highway 61 to the point of beginning.

[For text of subps 6 to 10, see 16 SR 2854, 2855]

Subp. 11. **Turkey zone 21.** Turkey zone 21 consists of that portion of the state lying within the following described boundary:

All of Washington County.

6236.1000 TURKEY HUNT QUOTAS.

Quotas on hunter numbers are established annually by the commissioner for each zone and time period. Information on these quotas can be obtained in the application and annual hunting regulations~~.~~ and as follows:

Time Period	Dates	Zone Quotas				
		1	2	3	4	5
A	Apr 14-18	225	400	310	125	225
B	Apr 19-23	225	400	310	125	225
C	Apr 24-28	225	400	310	125	225
D	Apr 29-May 3	225	400	310	125	225
E	May 4-8	225	400	310	125	225
F	May 9-13	225	400	310	125	225
G	May 14-18	225	400	310	125	225
Total		1575	2800	2170	875	1575

Time Period	Dates	Zone Quotas					
		10	11	12	13	20	21
A	Apr 14-18	15	15	20	15	15	10
B	Apr 19-23	15	15	20	15	15	10
C	Apr 24-28	15	15	20	15	15	10
D	Apr 29-May 3	15	15	20	15	15	10
E	May 4-8	15	15	20	15	15	10
F	May 9-13	15	15	20	15	15	10

Approved by Revisor _____

G	May 14-18	15	15	20	15	15	10
	Total	105	105	140	105	105	70

Grand Total = 9,625

Approved
by Revisor _____

Office of the Revisor of Statutes

Administrative Rules

TITLE: Adopted Emergency Game and Fish Rules; Spring Turkey Hunt and Elm Creek Park Reserve Deer Provisions

AGENCY: Department of Natural Resources

APPROVED AS TO FORM AND LEGALITY
11- 5 19 92
HUBERT H. HUMPHREY, III
ATTORNEY GENERAL
BY Amy V. Kvalseth
SPECIAL ASSISTANT ATTORNEY GENERAL

The attached rules are approved as to form

Paul E. Rhode
Senior Assistant Revisor

1/2 pg.

DNR —

(1) Re 6232.1700 — how do I find out about the Elm Creek Park Reserve Hunt? Where spcl permit area 909 is? ditto for Crow Hassan Park + area 908.

mentioned in new 17 SR 485 ! 6232.1600.

(2) Why do rules for spring turkey season have to be in place by late November?

(3) Wouldn't deer hunting rules have to be in effect by early nov. + even late oct.?

(4) Typo ~~Editorial~~ mistake — 6236.0900 — (CSAH 28), should be (CSAH) 28,

STATE OF MINNESOTA

Office Memorandum

DEPARTMENT: Natural Resources

DATE: October 30, 1992

TO: Patty Nolte
Attorney General's Office

FROM: Chuck Armstrong
Administrative Rules Coordinator
Commissioner's Office

PHONE: 297-7031

SUBJECT: Review Of Emergency Game & Fish Rules

I am submitting the attached language for review by the Attorney General's Office as prescribed by Minnesota Statues, section 14.29, subd. 4(b). The Revisor's Office number for this document is RD2154. I have included seven copies of the document and a signed copy of a statement of emergency conditions. The statutory authority for this language is Minnesota Statutes, sections 97B.305, 97B.311, and 97B.711, subd. 1. Please bill this to Division Code Number 065 and Client Code 0700.

If you have any questions, please call.

Thank you.

STATE OF MINNESOTA
Office Memorandum

DEPARTMENT: Natural Resources

DATE: 10-29-92

TO: Attorney General's Office, c/o Patty Nolte

FROM: Rodney W. Sando, Commissioner

PHONE: 6-2549

SUBJECT: Statement of Emergency Conditions: Rulemaking on Spring Turkey Season; Elm Creek Park Reserve/Crow Hassan Deer Hunt

The attached rulemaking is being promulgated under authority of M.S. 14.29, subd. 4(b). The emergency conditions that do not allow compliance with section 14.29 to 14.36 are:

1) Biological and harvest data used in decision-making on spring turkey seasons and quotas are not available until August. Regulations must be in effect by late November.

2) Whether there are insufficient applicants for the Crow Hassan hunt is not known until after the drawing in October. Additional options for hunter participation are needed to help assure an adequate harvest.

Att.

5 working days

File No.: 1963 Docket No.: 05, ~~0700, 065~~ 0009 0700

GAME AND FISH RULES

Date Received 10-30-92

Date ~~(Dis)~~Approved and Faxed 11-5-92
Chuck Armstrong Fax 296-4799

Due Date 11/6/92

Date Rule Sent 11-6-92
Chuck Armstrong
DNR - 500 Lafayette Road
6th Floor, Box 33

Attorney AVK
Phone

Date Rule Sent 11-6-92
Revisor

Minnesota Rules:

<1>

✓ Rules (7 copies)

✓ Revisor's Certificate

✓ Statement of Emergency Conditions

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<1> Minnesota Rules 6232.1700, 6236.0700, 6236.0900, 6236.1000

<2> Approval Date