

STATE OF MINNESOTA

DEPARTMENT OF NATURAL RESOURCES

COMMISSIONER'S ORDER NO. 2355

REGULATIONS FOR THE TAKING OF DUCKS,
GEESE, COOTS AND MOORHENS (GALLINULES);
SUPERSEDING COMMISSIONER'S ORDERS NOS. 2301 AND 2323

Pursuant to authority vested in me by Minn. Stat. §§ 97A.045, 97B.731, 97B.801, 97B.805, 97B.811, and other applicable law, I, Joseph N. Alexander, Commissioner of Natural Resources, hereby prescribe the following regulations for the taking of ducks, geese, coots and moorhens (gallinules). All dates and time periods specified in this order are inclusive, unless otherwise noted.

Section 1. DUCKS, COOTS AND MOORHENS (GALLINULES).

(a) Season Length and Hours. Ducks, coots and moorhens (gallinules) may be taken during the 30-day period beginning Saturday, October 7. Legal shooting hours are: from 12 noon to 4 p.m. on the opening day; from sunrise to 4 p.m. each day from the second day of the season to the Friday nearest October 19; and from sunrise to sunset each day during the remainder of the season.

(b) Daily Limit. No person shall in any one day take more than three (3) ducks other than mergansers, five (5) mergansers, and a total of 15 coots and moorhens (gallinules). The daily limit of ducks other than mergansers shall not include more than two (2) mallards of which not more than one (1) may be a female mallard, one (1) black duck, one (1) redhead, one (1)

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pintail and two (2) wood ducks. Canvasbacks may not be taken at any time. The daily limit of mergansers shall not include more than one (1) hooded merganser.

(c) Possession Limit. No person shall have in possession more than six (6) ducks other than mergansers, 10 mergansers, and a total of 30 coots and moorhens (gallinules). The possession limit of ducks other than mergansers shall not include more than four (4) mallards of which not more than two (2) may be female mallards, two (2) black ducks, two (2) redhead, two (2) pintail and four (4) wood ducks. The possession limit of mergansers shall not include more than two (2) hooded mergansers.

Sec. 2. REGULAR SEASON GEESE, INCLUDING BRANT.

(a) Season Length.

(1) In the West Central Goose Zone composed of Big Stone, Chippewa, Lac qui Parle, Swift and Yellow Medicine Counties, including the Lac qui Parle Goose Zone described in Sec. 2(e), Canada and white-fronted geese may be taken during the 30-day period beginning the Saturday nearest October 1.

(2) In the Southeast Goose Zone composed of Washington, Anoka, Hennepin, Carver, Scott, Ramsey, Dakota, Rice, Goodhue, Wabasha, Winona, Olmsted, Dodge, Steele, Freeborn, Mower, Fillmore, and Houston Counties, Canada and white-fronted geese may be taken during the 70-day period beginning the Saturday nearest October 1.

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(3) In the remainder of the state Canada and white-fronted geese may be taken during the 40-day period beginning the Saturday nearest October 1.

(4) Snow geese may be taken statewide during the 78-day period beginning the Saturday nearest October 1, except that the snow goose season will close in the Lac qui Parle Goose Zone with the Canada and white-fronted goose seasons as prescribed by Sec. 2(e) of this order.

(b) Hours. Geese may be taken from sunrise to 4 p.m. from the opening day of the season to October 6 and from October 8 to the Friday nearest October 19; from 12 noon to 4 p.m. on October 7 and from sunrise to sunset each day during the remainder of the prescribed seasons.

(c) Daily Limit. No person shall take more than seven (7) geese in any one day. The daily limit shall not include more than two (2) white-fronted geese and one (1) Canada goose or subspecies except in the Southeast Goose Zone where the daily limit of Canada geese is two.

(d) Possession Limit. No person shall have more than 14 geese in possession at any time. The possession limit shall not include more than four (4) white-fronted geese and two (2) Canada geese or subspecies except in the Southeast Goose Zone where the possession limit of Canada geese is four.

(e) Lac qui Parle Zone. In the area known as the Lac qui Parle Zone, and described below, the season on all geese

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shall be closed prior to the last day of the season for the West Central Goose Zone if and when the harvest index of Canada geese in the Lac qui Parle Zone reaches 4000 as determined by the Commissioner. For the purpose of notifying the public of such closing, no less than 48 hours prior to the effective time thereof the Commissioner shall (1) issue a news release specifying the time of closing and describing the zone, and (2) post written notices including the same information as the news release at the headquarters of the Lac qui Parle Game Refuge and at four other points chosen by him around the perimeter of the zone. The Lac qui Parle Zone is the area lying within the following boundary:

Beginning at the intersection of U.S. Highway 212 and County State Aid Highway (CSAH) 27, Lac qui Parle County; thence along CSAH 27 to CSAH 20, Lac qui Parle County; thence along CSAH 20 to State Trunk Highway (STH) ; thence along STH 40 to STH 119; thence along STH 119 to CSAH 34, Lac qui Parle County; thence along CSAH 34 to CSAH 19, Lac qui Parle County; thence along CSAH 19 to CSAH 38, Lac qui Parle County; thence along CSAH 38 to U.S. Highway 75; thence along U.S. Highway 75 to STH 7; thence along STH 7 to CSAH 6, Swift County; thence along CSAH 6 to County Road 65, Swift County; thence along County Road 65 to County Road 34, Chippewa County; thence along County Road 34 to CSAH 12, Chippewa County; thence along CSAH 12 to CSAH 9, Chippewa County; thence along CSAH 9 to STH 7; thence along STH 7 to Montevideo; thence along the municipal boundary of Montevideo to U.S. Highway 212; thence along U.S. Highway 212 to the point of beginning.

Sec. 3. DECEMBER TWIN CITIES METROPOLITAN CANADA GOOSE ZONE AND OLMSTED COUNTY HUNTS.

(a) Season Length and Hours. Canada geese may be taken in the Twin Cities Metropolitan Canada Goose Zone as

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described in Section 1(c) of Commissioner's Order No. 2341, Early Seasons for Taking Canada Geese in 1989, and in Olmsted County during the 10-day period beginning December 15, 1989, from one-half hour before sunrise to sunset each day.

(b) Daily and Possession Limits.

(1) No person shall in any one day take more than two (2) Canada geese. No person shall have in possession more than four (4) Canada geese.

(c) Permits for the Twin Cities Metropolitan Canada Goose Zone Hunt.

(1) A person must possess a valid permit issued by the Commissioner of Natural Resources to take Canada geese during the season established by this section in the Twin Cities Metropolitan Canada Goose Zone.

(2) A valid permit must have been obtained pursuant to Sec. 4(a) and 4(b) of Commissioner's Order No. 2341, Early Season Regulations for Taking Canada Geese in 1989.

(d) Surface Waters and Roads, Twin Cities Zone. In the Twin Cities Metropolitan Canada Goose Zone, taking Canada geese during the above-established season is prohibited on or within 100 yards of all surface waters, including but not limited to wetlands, lakes, rivers, and streams, except on specific waters as described or shown on a map that shall be provided to the permittees by the Commissioner. Taking Canada geese from public roads and their rights-of-way is prohibited in the Twin

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Cities Metropolitan Canada Goose Zone during the season established in this section.

Sec. 4. REFUGE GOOSE HUNTS.

(a) Douglas County Goose Refuge. The Douglas County Goose Refuge in Douglas County is open to the taking of geese from September 30 to November 8, 1989, pursuant to the established goose regulations for the zone in which it is located. During the dates the Douglas County Goose Refuge is open to the taking of geese, waterfowl hunting is prohibited upon or from all public roads and their rights-of-way within the refuge boundary.

(b) Fox Lake Game Refuge. The Fox Lake Game Refuge in Martin County is open to the taking of geese from September 30 to October 8, 1989, and from November 4 to November 8, 1989, pursuant to the established goose regulations for the zone in which it is located.

(c) Otter Tail County Goose Refuge. The Otter Tail County Goose Refuge in Otter Tail County is open to the taking of geese from September 30 to November 8, 1989, pursuant to the established goose regulations for the zone in which it is located. During the dates the Otter Tail County Goose Refuge is open to the taking of geese, waterfowl hunting is prohibited upon or from all public roads and their rights-of-way within the refuge boundary.

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(d) Sauk Rapids-Rice Goose Refuge. The Sauk Rapids-Rice Goose Refuge in Stearns and Benton Counties is open to the taking of geese from sunrise to 12 noon daily from October 8 to November 8, 1989, under the established goose regulations for the zone in which it is located. During the dates the Sauk Rapids-Rice Goose Refuge is open to the taking of geese, all waterfowl hunting is prohibited upon or from all public roads and their rights-of-way within the refuge boundary.

(e) St. James Game Refuge. The St. James Refuge in Watonwan County is open to the taking of geese from September 30 to October 8, 1989, and from November 4 to November 8, 1989, pursuant to the established goose regulations for the zone in which it is located.

Sec. 5. AIRBOATS PROHIBITED ON DESIGNATED LAKES.

The use of airboats is prohibited at all times on lakes which have been designated for wildlife management purposes pursuant to Commissioner's Order No. 2300 or superseding orders.

Sec. 6. OPENING DAY POSSESSION LIMIT.

No person shall have in possession on the opening day of each of the above established seasons more than a single daily limit. Thereafter the possession limits shall apply.

Sec. 7. FIELD LIMIT.

No person shall possess, have in custody, or transport more than the daily bag limit or aggregate daily bag limit, whichever applies, of migratory game birds, tagged or not tagged,

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at or between the place where taken and either (a) his automobile or principal means of land transportation; or (b) his personal abode or temporary or transient place of lodging; or (c) a migratory bird preservation facility; or (d) a post office; or (e) a common carrier facility.

Sec. 8. FEDERAL REGULATIONS.

Nothing in this order shall be construed as allowing any hunter to hunt or take any migratory game birds in violation of applicable federal regulations. Notwithstanding the provisions of Minn. Stat. § 97B.603, federal regulations do not allow any person to take, possess, or transport more than the prescribed limits for migratory game birds (50 C.F.R. §§ 20.24 and 20.33-20.44).

Sec. 9. GAME REFUGES AND STATE PARKS.

Except as specifically authorized, none of the provisions of this order shall be construed as modifying or superseding any order establishing game refuges within the state nor as permitting the taking of any wild animals within such refuges or within state parks.

Sec. 10. STEEL SHOT REGULATIONS.

On all lands and waters within the boundaries of the state it is unlawful to take geese, ducks, mergansers, coots or moorhens with lead shot or while having any lead shot in possession. Only shot made of steel or such non-toxic material

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as may be approved by the Director of the U.S. Fish and Wildlife Service may be used.

Sec. 11. BLINDS AND DECOYS ON PUBLIC LANDS AND PUBLIC WATERS.

(a) Blinds Deemed Public. When not in use, any blind located on public land or in public waters is deemed public and not the exclusive property of the person or persons who constructed it. Such blinds are open to use by the public on a first come first served basis. Any use of threat or force against another to gain possession of any such blind shall be unlawful.

(b) Erecting Blinds and Placing Decoys. A person may not erect a blind or place decoys in public waters or on public land more than one hour before the open season. During the open season, a person may not place decoys in public waters or on public lands more than one hour before lawful shooting hours.

Sec. 12. MINNESOTA MIGRATORY WATERFOWL STAMP.

Except for residents under the age of 18 and over the age of 65 years, no person who is otherwise required to possess a Minnesota small game license shall hunt or take migratory waterfowl within this state without first purchasing a stamp and having the stamp in possession while hunting or taking migratory waterfowl. Each stamp shall be validated by the signature of the licensee written across its face. People who are hunting on

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their own property shall not be required to possess a Minnesota waterfowl stamp.

Sec. 13. TRANSPORTATION OF MIGRATORY GAME BIRDS AND WATERFOWL.

At all times until delivery to the taker's residence or a commercial processing facility or until disposed of, migratory game birds must be transported in an undressed condition. An undressed migratory game bird, excluding migratory waterfowl, is one with feet and feathered head intact. An undressed migratory waterfowl is one with a fully feathered wing attached.

Sec. 14. LIVE ANIMALS.

All animals taken pursuant to this order must be killed before being removed from the site where taken.


Sec. 15. DISCHARGE OF FIREARMS BEFORE SHOOTING HOURS PROHIBITED.

Persons who are afield intending to take migratory waterfowl shall not load or discharge any firearm lawful for the taking of migratory waterfowl before legal shooting hours.

Sec. 16. Commissioner's Orders Nos. 2301 and 2323 are hereby superseded.

Dated at Saint Paul, Minnesota, this 30 day of

May, 1989.


JOSEPH N. ALEXANDER, Commissioner
Department of Natural Resources

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APPROVED AS TO FORM AND EXECUTION

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STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

AUG 3 1989

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Secretary of State

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