

**6134.0150 PURPOSE AND SCOPE.**

Minnesota Statutes, section 84.0895, subdivision 3, requires the commissioner of natural resources to adopt rules designating species meeting the statutory definitions of endangered, threatened, or species of special concern. Minnesota Statutes, section 84.0895, subdivision 5, authorizes the commissioner to adopt rules that regulate treatment of species designated as endangered or threatened. Thus, two different sets of rules have been adopted: parts 6134.0100 to 6134.0400 designate species in the three statutory categories; and parts 6212.1800 to 6212.2300 create regulations for species designated as endangered or threatened.

Species designated as species of special concern are not protected by Minnesota Statutes, section 84.0895 or rules adopted under that section. Parts 6212.1800 to 6212.2300 and Minnesota Statutes, section 84.0895, impose a variety of restrictions, a permit program, and several exemptions pertaining to species designated as endangered or threatened. Among these are that acts otherwise prohibited may be allowed by permit issued by the commissioner; plants on certain agricultural lands and plants destroyed in consequence of certain agricultural practices are exempt; and the accidental, unknowing destruction of designated plants is exempt. Parts 6134.0100 to 6134.0400 do not address protection of habitat for species designated as endangered, threatened, or species of special concern, nor do they obligate anyone to survey lands for the presence of designated species.

Persons are advised to read the full text of parts 6134.0100 to 6134.0400 and 6212.1800 to 6212.2300 and Minnesota Statutes, section 84.0895, in order to understand all Department of Natural Resources regulations pertaining to species that are designated as endangered, threatened, or species of special concern.

**Statutory Authority:** *MS s 84.0895*

**History:** *20 SR 2782*

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