

2009-2010 FALL WILD TURKEY PROCLAMATION

Pursuant to North Dakota law and the recommendation of the Game and Fish Director, I hereby declare an open season for North Dakota residents for the taking of not to exceed 8,105 wild turkeys. Except as provided hereinafter or otherwise by law, no person shall hunt, kill, take, possess, or so attempt to hunt, kill, take, or possess any wild turkeys.

1. SEASON DATES, TIMES, OPEN AREAS:

<u>SEASON</u>	<u>OPENS</u>	<u>CLOSES</u>	<u>AREAS</u>	<u>RESTRICTIONS</u>
Fall	Oct. 10	Jan. 10	All Open Units	Restricted to fall season dates and unit described on license.

HOURS OF HUNTING: are one-half (½) hour before sunrise to sunset.

2. ELIGIBILITY

Only North Dakota residents are eligible to apply in the fall turkey lottery. Should licenses remain following the lottery, both residents and nonresidents are eligible to apply.

3. LICENSES

Licenses are issued by a weighted lottery drawing among eligible applicants as prescribed by the director. Persons must submit applications to the Department's Bismarck office by July 1, 2009. Because of sometimes delayed postmarking procedures, applications postmarked July 1 or 2 and earlier will be accepted.

After the initial lottery, remaining licenses will be issued as prescribed by the Director which may allow individuals to obtain additional licenses in select units.

An \$8 fee per resident applicant must accompany all resident applications. The fee for a nonresident license will be \$80. If an insufficient funds check is issued and the collection agency cannot collect, the applicant will be ineligible for a turkey license for both the current year and the following calendar year.

Gratis--Gratis licenses are available to North Dakota residents owning, or leasing for agricultural purposes and actively farming or ranching, at least 160 acres of land located in an open hunting unit and are valid only upon land described on the application and, subsequently the license. Gratis licenses are issued only through Department's Bismarck office and are subtracted from the maximum number of turkey licenses available for each unit.

Other Licenses Required--To hunt wild turkey, all hunters regardless of age must also possess a 2009 fishing, hunting and furbearer certificate and 2009 general game and habitat license. In addition, hunters 16 years of age and older must possess a 2009 small game license or a combination license before hunting wild turkeys.

All stamps must be signed in ink and affixed to the back of each person's fishing, hunting, and furbearer certificate.

A concurrent experimental turkey bow season is proclaimed for the City of Bismarck and specific surrounding areas. A maximum of 25 licenses will be available. Licenses will be distributed on a first come - first serve basis to individuals who are licensed to bow hunt deer within the city limits of Bismarck. Licenses will be available at the NDGFD headquarters in Bismarck once a person has a valid city archery permit.

A concurrent experimental turkey season is proclaimed for the USDA-ARS Northern Great Plains Research Lab in Mandan, North Dakota. A maximum of 30 licenses will be available. Applicants for these licenses must first obtain a permit from USDA-ARS. Licenses will be available at the NDGFD headquarters in Bismarck.

4. FIREARMS AND ARCHERY EQUIPMENT

- * Shotguns--Only shotguns no larger than 10 gauge and capable of holding not more than three shells in the magazine and chamber are legal. Minimum barrel length is 18 inches. Fully automatic firearms are illegal.
- * Rifles--Only muzzleloading long guns are legal. Centerfire rifles and rimfire rifles are illegal for hunting wild turkeys.
- * Bows and Arrows--Bows must be pulled, held, and released by hand. Any release aid may be used providing it is hand operated, the shooter supports the draw weight of the bow, and the release is not attached to any part of the bow other than at the bowstring. A compound bow used for hunting turkey must have at least 35 pounds of draw at 28 inches or less draw length. Recurve and long bows used for hunting turkey must have at least 35 pounds of draw at 28 inches. Arrows must be at least 24 inches long, tipped with a metal broadhead, with at least two sharp cutting edges, and have a cutting diameter of at least 3/4 inches (i.e., not able to pass through a 3/4 inch ring.) It is illegal to hunt turkey with

barbed arrows. Broadheads with mechanical or retractable blades are legal. Telescopic sights, range finding devices, battery-powered or electronically lighted sights or other electronic devices attached to the bow, or the arrow, are not permitted. Handheld range finding devices are legal. Arrows capable of causing damage or injury in excess of that inflicted by the cutting edges of the broadhead, are prohibited while hunting turkey with a bow (e.g., explosive arrow points, arrows tipped with drugs or chemicals, and pneumatic or hydraulic shafts are illegal). Crossbows are not legal, except with a permit from the North Dakota Game and Fish Department Director. When permitted, crossbows must: a) have a peak draw weight of at least 75 pounds and not more than 200 pounds, b) be equipped with a working safety to prevent accidental firing, c) have a stock at least 14 inches long, d) use arrows or bolts at least 14 inches in length, e) Battery-powered and electronic-lighted sight pins and telescopic sights not exceeding a maximum power of four by thirty-two millimeters may be attached to crossbows used for hunting, and f) crossbow hunters must comply with all other archery equipment regulations listed above.

- * Handguns--Handguns of .35 cal. and larger with 4 inch or greater barrel length are legal.
- * American's with Disabilities--The Director may make reasonable accommodations to comply with the American's with Disabilities Act.

5. AIRCRAFT AND MOTOR-DRIVEN VEHICLES

- * Aircraft may not be used to drive, concentrate, rally, raise, stir up, spot, or disturb game.
- * It is illegal to shoot with bow and arrow or firearm while in or on a motor-driven vehicle.
- * It is illegal to carry a firearm in or on a motor-driven vehicle with a shell in the chamber. The entire cylinder of a revolver is considered the chamber, requiring the revolver to be completely unloaded. It is illegal to carry any muzzleloading firearm in or on a motor-driven vehicle with a percussion cap or primer on the nipple or powder in the flash pan.
- * No person may use a motor-driven vehicle while in the process of hunting turkeys or aid another in the process of hunting turkeys including travel to and from the hunting location unless the motor-driven vehicle is on an established road or trail during the deer gun season. A landowner or lessee who actively farms or ranches land and persons having written permission from a landowner or lessee who actively farms or ranches that land may use a motor-driven vehicle on that land other than on an established road or trail to hunt turkeys except during the deer gun season.
- * The use of all motor-driven vehicles on wildlife management areas is restricted to those constructed roads, well worn trails, and parking areas normally used by passenger cars.

- * No person may use motor-driven vehicles on North Dakota Game and Fish Department's Conservation PLOTS (**P**riate **L**and **O**pen **T**o **S**portsmen) property without permission from the landowner. These areas have been entrusted to the public for walking access through written agreements by private landowners. The boundaries of these properties are delineated in the North Dakota Game and Fish Department's annual PLOTS Guide and on-site by large yellow triangular signs.

6. BAG LIMIT

One wild turkey of any sex or age per license, not to exceed 15 licenses per person.

7. TAGGING REQUIREMENTS

Immediately after the turkey has been killed, the hunter must indicate the date of kill by cutting out the appropriate month and day from the tag provided with the license, and attach it around the leg of the turkey in an exact manner as illustrated on the back of the tag, to prevent its removal. In no case is it legal to possess or transport a turkey unless it is properly tagged. The tag shall remain with the carcass until it is packaged as food. No person may reuse or attempt to reuse any tag issued. All used tags must be kept in possession until the meat is consumed or disposed of.

8. TRANSPORTATION AND STORAGE

License holders must accompany their wild turkey during transportation, except that it may be shipped by licensed public carrier in receipt of proper bill of lading.

9. AREAS CLOSED TO HUNTING

- * Federal or state properties such as refuges, sanctuaries, military installations, parks, or historic sites posted to no trespassing or no hunting are closed to the hunting of wild turkey.
- * It is illegal to hunt in unharvested crops without the owner's consent. Crops also include alfalfa, clover, and other grasses grown for seed.

In accordance with N.D.C.C. 20.1-08-04.9, non-residents shall be prohibited from hunting from October 10 through October 16, 2009 on Game and Fish Department wildlife management areas or Conservation PLOTS (**P**riate **L**and **O**pen **T**o **S**portsmen) areas.

10. LICENSES AVAILABLE BY UNIT

<u>Unit</u>	<u>Available</u>	<u>Unit</u>	<u>Available</u>
02	150	31	60
03	300	37	475
04	200	40	75
06	30	44	250
13	600	45	125
17	700	47	140
19	250	50	300
21	CLOSED	51	300
25	750	53	CLOSED
27	800	98	400
30	600	99	300
		Total	<u>6,805</u>

Additional licenses, up to a maximum of 1,300, may be issued if turkeys are deemed too numerous in specific units because of good reproduction. These additional licenses may be available after the lottery on a first come first served basis for specific units by October 1, 2009.

11. HUNTING UNIT DESCRIPTIONS

Unit 02--Barnes County, Cass County, Griggs County, Steele County and Traill County.

Unit 03-- Benson County, Pierce County east of ND Highway 3 and south of ND Highway 17 and Ramsey County. **NOTE!** In addition to a Unit 03 fall wild turkey license, a special permit is required to hunt in Graham's Island State Park. Special restrictions will be required when hunting in Graham's Island State Park. Contact the park office for additional information and for obtaining these free permits (701) 766-4015.

Unit 04--Those portions of Billings and Golden Valley counties south of Interstate 94.

Unit 06--Bowman County.

Unit 13--Dunn County.

Unit 17--Those portions of Billings and Golden Valley counties north of Interstate 94.

Unit 19--Grant County, Sioux County, and that part of Morton County south of Interstate 94 that lies west of Morton County Road No. 86 (the Almont to Carson road) and that part of Morton County north of Interstate 94 that lies west of ND Highway 31.

Unit 21--Hettinger County and Adams County. **Closed for Fall.**

Unit 25--McHenry County and that part of Pierce County west of ND Highway 3 and that part of Ward County that lies east of U.S. Highway 83.

Unit 27--McKenzie County.

Unit 30--Morton County except for that part of Morton County south of Interstate 94 that lies west of Morton County Road No. 86 (the Almont to Carson road) and except that part of Morton County north of Interstate 94 that lies west of ND Highway 31.

Unit 31--Mountrail County.

Unit 37--Dickey County, LaMoure County, Logan County, McIntosh County, Ransom County, Richland County and Sargent County.

Unit 40--Rolette County, and those portions of Bottineau and Renville counties east of US Highway 83 and that portion of Pierce County north of ND Highway 17.

Unit 44--Slope County.

Unit 45--Stark County.

Unit 47-- Eddy County, Foster County, Kidder County, Sheridan County, Stutsman County and Wells County.

Unit 50--Cavalier County, Grand Forks County, Nelson County, Pembina County, Towner County and Walsh County.

Unit 51--Burke County, all of Renville County except that portion east of U.S. Highway 83, that part of Bottineau County west of U.S. Highway 83, and that part of Ward County that lies west of U.S. Highway 83.

Unit 53 -- Williams County and Divide County. **Closed for Fall.**

Unit 98--Burleigh County, Emmons County and McLean County.

Unit 99--Mercer County and Oliver County.

12. WANTON WASTE OF A WILD TURKEY

No person shall kill, cripple, waste, destroy, spoil, or abandon the edible flesh of any wild turkey without making a reasonable effort to retrieve the bird, and retain it in his/her actual custody, at the place where taken and between that place and either (a) his/her personal permanent residence, (b) taxidermist or (c) a common carrier. Edible flesh means the breast meat of any wild turkey.

13. VIOLATIONS AND PENALTIES

The following violations have the listed penalties:

- * Hunting before or after legal hours (Section 1) up to 30 minutes--penalty--\$100. In excess of 30 minutes--Class B Misdemeanor.
- * No person may keep or carry in or on any motor-driven vehicle any firearm with a cartridge in the chamber while hunting small game or big game animals (Section 5)--penalty--\$100.
- * Failure to sign and affix stamps to the licensee's fishing, hunting, and furbearer certificate (Section 3)--penalty--\$25.
- * Use of motor-driven vehicle in a restricted area (Section 5)--penalty--\$50.
- * Failure to accompany one's own game during transportation or transporting another's game (Section 8)--penalty--\$50.
- * Wanton Waste of a Wild Turkey (Section 12)--penalty--\$100.

GIVEN UNDER MY HAND and the Great Seal of the State of North Dakota this
3rd day of June, 2009.

/s/

John Hoeven
Governor

Attest:

/s/

Secretary of State

Deputy

14. 2009-2010 FALL WILD TURKEY HUNTING UNITS

