Legislative Response: Sustainable Foraging Task Force, DNR follow-up

Date: 11-26-2025

Prepared for: Minnesota Sustainable Foraging Task Force

Question 1: Peter Martignacco [Following up from the November 10, 2025 memo from DNR]: If I understand correctly the permit terms require the specific identification of one non timber forest product the permit covers and how much was proposed to be harvested. Can the DNR provide more specifics for the 25 permits tallied in their response? Also interested in general which regions these permits were issued.

[Information provided in the October 8, 2025 memo for reference]

State Forests: Most special product permits that the DNR Forestry Division issues are for fuelwood, spruce tops, balsam boughs, and Christmas trees. A summary of special product permits issued in Fiscal Year (FY) 2025 and 2026 are as follows:

Products	**FY25**	**FY26**	**Notes**
Ferns	3	0	Spring harvest
Other Herbaceous	**25**	0	Spring harvest, likely Solomon's Seal, etc.
Ginseng	63	70	Fall harvest
Bark	0	3	
Total	**91**	**73**	

Answer: Of the 25 "Other Herbaceous" special product permits summarized in the DNR Legislative Response memo from November 10, 2025, all of them were in DNR's Central Region, primarily in the Lewiston area in Winona County. The permits were for Solomon's seal, watercress, and fiddlehead ferns.

Question 2: [From public input sessions]: How many citations for foraging-related infractions does the DNR issue?

Answer: Based on the Initial Complaint Report (ICR) records system, it is time consuming to pinpoint the citations specifically related to foraging. The only way to tell for sure that a citation was foraging related is to manually go through each ICR in our system to determine what the violator was doing when contacted. It is important to keep in mind on the land type violations, not all violations would be from foragers. For example, Wildlife Management Area (WMA) violations included for things like cutting/destroying vegetation would include hunters cutting shooting lanes.

In addition, enforcement's primary responsibility is to provide resource protection and public safety by gaining voluntary compliance through education and law enforcement. Voluntary compliance involves knowing and understanding why laws and regulations are important to the protection and preservation of the state's natural resources and choosing to not only abide by those laws and regulations but to encourage others to do so. Due to the lack of understanding and ambiguity of the rules and laws regarding foraging on state lands, DNR's

Conservation Officers educate first unless the violation is egregious or there is a clear and obvious intent to circumvent the law.

DNR's Enforcement Division issues citations related to wild rice violations and forest products citations and warnings every year, as well as a few ginseng violations. In past 2 years, Fiscal Years 2024-2025, Conservation Officers documented:

- State Trail (MN Rules 6100.3800.1): 2 citations, 2 warnings
- State Park (MN Rules 6100.0900.1): 10 citations, 11 warnings
- Aquatic vegetation (MN Rules 6280): 48 citations, 113warnings
- Wildlife Management Area Misc. (MN Rules 6230): 219 citations, 405 warnings
- Aquatic Management Area Misc. (MN Rules 6270): 15 citations, 5 warnings

Citation examples:

- There is a clear example of attempted commercial sale of ramps from a WMA in 2021. Numerous individuals were charged and/or arrested. While patrolling spring turkey hunters, vehicles were observed with milk crates lined with plastic bags and gloves. Walking down the trail an officer observed individuals digging up and taking whole ramps. They were hoping to get 100 pounds of ramps and was planning to work with a friend in the Twin Cities to sell them. They had sold 100+ pounds of ramps for $7/pound. In addition, they had been shipping ramps as cargo out of the Minneapolis–St. Paul International Airport to Georgia and other states on both east and west coast for almost 4 years. The person said he sold to is a broker who then sells to restaurants. They also confessed to selling mushrooms in the same way.

  Offense**:** WMA - Conduct commercial operation solicit business farm or keep bees within WMA (MN Rules 6230.0250.17).

  Offense**:** WMA - Destroy disturb or remove vegetation property threatened/endangered plants or animals (MN Rules 6230.0250.20).

- Comment from DNR staff: "I think this problem is bad enough and going to get worse that it warrants more specific language to address the various types of foraging and plant harvest. We do get people harvesting plants and seeds, not for consumption, but to take and plant. That should be specifically addressed as well. Additionally, it would be helpful to have more publicity about any changes to foraging rules. There is a huge foraging community in the Twin Cities, so even just outreach in the metro may help as they are traveling to nearby WMAs to harvest. Also wanted to mention that we should also look at the fine schedule associated with this in the WMA statute (I think that is where the fines are detailed). I think the plant fine might be $25 or $50. I think this is fine for someone found violating for personal use. Say an individual got some leeks for soup, but maybe only had a 1lb or something and a separate fine for egregious violations - such as those harvesting excessive amounts for commercial use or even excessive amounts for personal use. I talked to a Conservation Officer about the fines - they suggested a scale based on volume or something as they would likely be hesitant to fine someone $300 for a small amount but would if it was $25 or $50 and then a higher amount for larger violations."

- Comment from DNR staff: "The main foraged species are fern fiddleheads, morels/mushrooms and wild asparagus. That being said, we do see trespassing on the state wildlife sanctuary and damage to some tress including birch trees. It's tough to say whether these are from foragers, but I do know of at least one instance of foragers on the sanctuary this spring."