

# Office of the Revisor of Statutes

## Administrative Rules



**TITLE:** Adopted Expedited Emergency Game and Fish Rule: Mille Lacs Lake Fishing

**AGENCY:** Department of Natural Resources

**MINNESOTA RULES:** Chapter 6264

APPROVED AS TO FORM AND LEGALITY

April 13 20 12  
MINNESOTA ATTORNEY GENERAL

BY [Signature]  
ASSISTANT ATTORNEY GENERAL



The attached rules are approved as to form:

Cindy K. Maxwell

Cindy K. Maxwell  
Senior Assistant Revisor

1203557

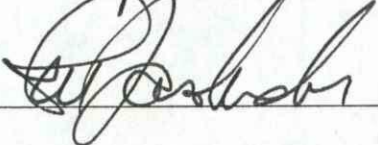
**Department of Natural Resources**

**Adopted Expedited Emergency Game and Fish Rules: Waters with restrictions on taking fish; designated special management waters**

Notice is hereby given that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, section 84.027, subdivision 13 (b). The statutory authority for the contents of the rules is *Minnesota Statutes*, sections 97A.045, subd. 2, 97C.005, and 97C.401.

The emergency conditions that do not allow compliance with *Minnesota Statutes*, sections 97A.0451 to 97A.0459, are that under the terms of the Federal District Court the Mille Lacs Band, Fond Du Lac Band, and six Wisconsin Bands of Chippewa are not required to declare their harvest intentions on inland waters until mid-March. The Mille Lacs proposed regulations are based on a safe harvest level determined for 2012. Final harvest threshold levels to be included in the proposed rules were not available until March. These new threshold levels and regulations need to be put in place as soon as possible to ensure that angler harvest does not exceed State angler harvest thresholds for the 2012 open water fishing season.

Dated: April 3, 2012



A handwritten signature in black ink, appearing to read 'Tom Landwehr', is written over a horizontal line.

Tom Landwehr  
Commissioner of Natural Resources

1.1 **Department of Natural Resources**  
1.2 **Adopted Expedited Emergency Game and Fish Rule: Mille Lacs Lake Fishing**  
1.3 **6264.0400 DESIGNATED SPECIAL MANAGEMENT WATERS.**

1.4 [For text of subps 1 to 3, see M.R.]

1.5 **Subp. 4. Mille Lacs Lake and associated tributaries special management**  
1.6 **regulations.**

1.7 A. While a person is on or fishing in Mille Lacs Lake or its associated tributaries  
1.8 to the posted boundaries, all northern pike in possession must be less than ~~24~~ 27 inches  
1.9 in length or greater than ~~36~~ 40 inches in length. All northern pike that are ~~24~~ 27 to ~~36~~  
1.10 40 inches in length, inclusive, must be immediately returned to the water. A person's  
1.11 possession limit may not include more than one northern pike over ~~36~~ 40 inches in length.

1.12 [For text of items B and C, see M.R.]

1.13 D. The commissioner may modify seasons and limits under Minnesota Statutes,  
1.14 section 84.027, subdivision 13, or sections 97A.0451 to 97A.0459, to accommodate tribal  
1.15 declarations for fish harvest in the 1837 Ceded Territory in compliance with the court  
1.16 ruling in Mille Lacs Band of Chippewa v. Minnesota, 119 S.Ct. 1187 (1999). Changes  
1.17 shall be posted at water access sites and the Department of Natural Resources Web site.

1.18 (1) While a person is on or fishing in Mille Lacs Lake or its associated  
1.19 tributaries to the posted boundaries, the daily and possession limit for walleye is four.  
1.20 Except as provided in subitem (2), while a person is on or fishing in Mille Lacs Lake or its  
1.21 associated tributaries to the posted boundaries, all walleye in possession must be less than  
1.22 17 inches in length or greater than 28 inches in length. All walleye that are 17 to 28 inches  
1.23 in length, inclusive, must be immediately returned to the water.

1.24 (2) Notwithstanding subitem (1), a person's possession limit may include  
1.25 one walleye over 28 inches in length.

- 2.1 [For text of items E to G, see M.R.]
- 2.2 [For text of subps 5 to 14, see M.R.]
- 2.3 [For text of subp 15, see 36 SR 501]
- 2.4 [For text of subps 16 to 18, see M.R.]
- 2.5 [For text of subp 19, see 36 SR 501]
- 2.6 [For text of subps 20 and 21, see M.R.]
- 2.7 [For text of subp 22, see 36 SR 505]
- 2.8 [For text of subps 23 to 48, see M.R.]
- 2.9 [For text of subp 49, see 36 SR 505]
- 2.10 [For text of subps 50 to 58, see M.R.]
- 2.11 [For text of subp 59, see 35 SR 1649]
- 2.12 [For text of subp 60, see M.R.]
- 2.13 [For text of subp 61, see 36 SR 505]
- 2.14 [For text of subps 62 to 71, see M.R.]
- 2.15 [For text of subp 72, see 36 SR 501]
- 2.16 [For text of subps 73 to 96, see M.R.]
- 2.17 [For text of subp 97, see 36 SR 505]
- 2.18 [For text of subps 98 to 109, see M.R.]

2.19 **REPEALER.** The expedited emergency amendments to Minnesota Rules, part  
 2.20 6264.0400, subpart 4a, published in the State Register, volume 35, page 1650, April 25,  
 2.21 2011, are repealed.