

Adopted Expedited Emergency Game and Fish Rules:

6262

6264

WATERS WITH RESTRICTIONS ON TAKING FISH AND DESIGNATED SPECIAL MANAGEMENT WATERS

PUBLISHED 05-07-2007

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EXPIRES 11-11-2008 (18 months)

6262.0550 WATERS WITH RESTRICTIONS ON TAKING FISH.

Subpart 1. Modifying seasons and limits. The commissioner may modify seasons and limits under Minnesota Statutes, section 84.027, subdivision 13, or sections 97A.0451 to 97A.0459, to accommodate tribal declarations for fish harvest in the 1837 Ceded Territory in compliance with the court ruling in Mille Lacs Band of Chippewa v. Minnesota, 119 S. Ct. 1187 (1999). Changes shall be posted at water access sites and the Department of Natural Resources Web site. The waters under this part have restrictions on the possession of fish.

Subp. 2. Northern pike; Ogechie Lake. While a person is on or fishing in the following waters, all northern pike in possession must be less than 24 inches in length or greater than 36 inches in length. All northern pike that are 24 to 36 inches in length, inclusive, must be immediately returned to the water. A person's possession limit may not include more than one northern pike over 36 inches in length.

| Name | Location | County |
|--------------|---|------------|
| Ogechie Lake | T.42, R.27, S.4,5,8 T.43, R.27, S.33 | Mille Lacs |

6264.0400 DESIGNATED SPECIAL MANAGEMENT WATERS.

[For text of subps 1 to 3, see Minnesota Rules.]

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

A. While a person is on or fishing in Mille Lacs Lake or its associated tributaries to the posted boundaries, the daily and possession limit for walleye is four. Except as provided in item items B, all walleye in possession C, and D, while a person is on or fishing in Mille Lacs Lake or its associated tributaries to the posted boundaries, all walleye in possession must be from 14 inches to less than 20 inches in length or greater than 28 inches in length, inclusive. All walleye that are less than 14 inches or greater than 20 inches 20 to 28 inches in length,

inclusive, must be immediately returned to the water.

~~B.~~ Notwithstanding item A and except as provided in items C and D, from July 15 to November 30, while a person is on or fishing in Mille Lacs Lake or its associated tributaries to the posted boundaries, all walleye in possession must be less than 22 inches in length or greater than 28 inches in length. All walleye that are 22 to 28 inches in length, inclusive, must be immediately returned to the water.

~~C.~~ If walleye kill estimates for winter and open water fishing exceed 365,000 pounds any time prior to July 1, or exceed 449,000 pounds any time prior to August 16, then the size limit changes according to this item: While a person is on or fishing in Mille Lacs Lake and its associated tributaries to the posted boundaries, all walleye in possession must be 14 inches or greater in length or 16 inches or less in length. All walleye that are less than 14 inches or greater than 16 inches in length must be immediately returned to the water. If this regulation is implemented, it is effective from five days after notice of the change is posted on the Department of Natural Resources Web site until November 30.

~~B: D.~~ Notwithstanding item ~~items~~ A, B, and C, a person's possession limit may include one walleye over ~~26~~ 28 inches in length.

~~C.~~ All northern pike in possession ~~E.~~ While a person is on or fishing in Mille Lacs Lake or its associated tributaries to the posted boundaries, all northern pike in possession must be less than ~~26~~ 24 inches in length or greater than 36 inches in length. All northern pike that are ~~from~~ 26 24 to 36 inches in length, inclusive, must be immediately returned to the water. A person's possession limit may not include more than one northern pike over 36 inches in length.

~~D: E.~~ The possession limit for smallmouth bass is one. ~~All smallmouth bass in possession~~ While a person is on or fishing in Mille Lacs Lake or its associated tributaries to the posted boundaries, all smallmouth bass in possession must be 21 inches or greater in length. All smallmouth bass less than 21 inches in length must be immediately returned to the water.

~~E: G.~~ Mille Lacs Lake is closed to the taking of fish between the hours of 10 p.m. and 6 a.m. daily during the period commencing at 10 p.m. on the Monday following the Saturday two weeks prior to the Saturday of Memorial Day weekend and ending at 12:01 a.m. on Monday, four weeks after the date of commencement. During the closure, no person shall be on the waters of Mille Lacs Lake while having in possession any equipment whereby fish may be taken. Spearing is prohibited from December 1 through April 30. A person may not have a spear in possession while on or fishing in Mille Lacs Lake during this period.

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

~~G: I.~~ While a person is on or fishing in Mille Lacs Lake or its associated tributaries to the

posted boundaries, all muskellunge in possession must be 48 inches or greater in length. All muskellunge less than 48 inches in length must be immediately returned to the water.

L. While a person is on or fishing in Mille Lacs Lake or its associated tributaries to the posted boundaries, the possession and daily limit for northern cisco (tullibee) is ten fish.

K. Fish that are taken by angling and not immediately released into the water after capture are considered to be in possession and part of the bag limit. Once a fish has been reduced to possession, culling or live-well sorting (the act of exchanging one fish for another) is not allowed.

L. This subpart applies to the following waters:

| Name | Location | County |
|-----------------------------|---------------------------------|-----------------------|
| Mille Lacs | T.42-45, R.25-28, S. Various | Aitkin, Mille Lacs |
| Borden Creek | T.44, R.25, S.5 | Aitkin |
| Seastade Creek | T.45, R.26, S.22 | Aitkin |
| Marmon (Twenty) Creek | T.45, R.25, S.32 | Aitkin |
| Grave Creek | T.45, R.25, S.8 | Aitkin |
| Peterson Creek | T.43, R.25, S.5 | Mille Lacs |
| Thains River (Malone Creek) | T.42, R.25, S.2 | Mille Lacs |
| West Sucker Creek | T.42, R.25, S.18 | Mille Lacs |
| South Sucker Creek | T.42, R.25, S.18 | Mille Lacs |
| Garrison (Borden) Creek | T.44, R.28, S.12 | Crow Wing |
| Seguchie Creek | T.44, R.28, S.36 | Crow Wing |
| Reddy Creek | T.45, R.26, S.23 | Aitkin |
| Whitefish Creek | T.43, R.27, S.7 | Mille Lacs |
| Seventeen Creek | T.44, R.25, S.17,18,29 | Aitkin |
| Cedar Creek | T.43, R.25, S.15 | Mille Lacs |
| McCleans Creek | T.45, R.27, S.34 | Aitkin |
| Unnamed | T.43, R.25, S.8 | Mille Lacs |
| Unnamed | T.42, R.26, S.11 | Mille Lacs |
| Unnamed | T.42, R.26, S.22 | Mille Lacs |
| Unnamed | T.43, R.27, S.8 | Mille Lacs |
| Unnamed | T.43, R.27, S.6 | Mille Lacs |
| Unnamed | T.43, R.27, S.21 | Mille Lacs |
| Unnamed | T.44, R.27, S.31 | Crow Wing |
| Unnamed | T.44, R.28, S.36 | Crow Wing |
| Unnamed | T.44, R.27, S.4 | Aitkin |
| Unnamed | T.45, R.27, S.25 | Aitkin |
| Unnamed | T.44, R.25, S.29 | Aitkin |
| Unnamed | T.44, R.25, S.31,32 | Aitkin |
| Unnamed | T.44, R.28, S.24 | Crow Wing |
| Unnamed | T.44, R.28, S.13 | Crow Wing |

Rum River Outlet

T.43, R.27, S.33

Mille Lacs

[For text of subps 6 to 76, see Minnesota Rules.]

REPEALER. Minnesota Rules, part 6262.0550, published in the State Register, volume 30, page 1191, May 1, 2006, is repealed.

EFFECTIVE DATE. Minnesota Rules, part 6262.0550, the emergency amendments to Minnesota Rules, part 6264.0400, subpart 4, and the repealer, are effective May 11, 2007.