

Department of Natural Resources

Chapters:

Adopted Expedited Emergency Game and Fish Rules:

6262

USING CISCO AND RAINBOW SMELT AS BAIT

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Please see enclosure for text of the expedited emergency game and fish rules package relating to using and preserving cisco and rainbow smelt for use as bait.

1.1 **Department of Natural Resources**

1.2 **Adopted Expedited Emergency Game and Fish Rules: Using Cisco and Rainbow**
1.3 **Smelt as Bait**

1.4 **6262.0100 GENERAL RESTRICTIONS ON TAKING FISH.**

1.5 [For text of subps 1 to 5, see M.R.]

1.6 Subp. 6. Use of cisco or rainbow smelt as bait. Cisco or rainbow smelt may not
1.7 be used for bait except as provided in part 6262.0576 and in accordance with Minnesota
1.8 Statutes, sections 84D.03, subdivision 3; 84D.11, subdivision 2a; and 97C.341.

1.9 **6262.0576 CISCO AND RAINBOW SMELT PRESERVATION.**

1.10 Subpart 1. Preservation required for bait; documentation.

1.11 A. A person may not use cisco or rainbow smelt for bait while taking wild
1.12 animals in waters of the state unless the cisco or rainbow smelt have been preserved
1.13 consistent with this part and as further prescribed by the commissioner.

1.14 B. Except when legally harvesting cisco or rainbow smelt, a person on, or
1.15 taking wild animals in, waters of the state may not possess cisco or rainbow smelt unless
1.16 the cisco or rainbow smelt have been preserved according to this part, the person possesses
1.17 all labeling as prescribed in subpart 5, and the person retains the labeling until the cisco or
1.18 rainbow smelt are used and no longer in possession.

1.19 Subp. 2. Permit required to preserve cisco and rainbow smelt. A person must
1.20 obtain a cisco and rainbow smelt preservation permit to preserve cisco and rainbow smelt
1.21 in Minnesota for use as bait in waters of the state. Only persons with a minnow dealer,
1.22 minnow retailer, private fish hatchery, commercial netting, fish packer, fishing guide, or
1.23 aquatic farm license issued by the commissioner are eligible for a permit.

1.24 Subp. 3. Preservation methods. Preservation methods that are permitted include
1.25 use of mineral oil, isopropyl alcohol, or a salt and borax mixture or other methods

2.1 determined by the commissioner to effectively inactivate the viral hemorrhagic septicemia
2.2 (VHS) virus. Freezing or refrigeration is not an approved preservation method. Methods
2.3 may include a minimum processing time to ensure complete inactivation of the virus. A
2.4 permittee must follow all preservation procedures and times prescribed in the permit and
2.5 may not distribute or sell preserved bait until all permit requirements are met.

2.6 Subp. 4. **Reporting requirements.** A holder of a cisco and rainbow smelt
2.7 preservation permit must maintain records on forms provided by the commissioner for
2.8 each lot of fish preserved. The records must include the method of preservation, lot
2.9 number for each batch of fish preserved, source waterbody of the fish preserved, and other
2.10 information as specified on the reporting form. A permittee must enter required records
2.11 into forms within 24 hours of processing each lot of fish. A permittee must retain records
2.12 for three years following the year of creation. All records required to be retained must be
2.13 open to inspection by the commissioner at any reasonable time.

2.14 Subp. 5. **Labeling requirements.** A cisco or rainbow smelt preservation permittee
2.15 must label each container or package of preserved cisco or rainbow smelt with the
2.16 following information:

2.17 A. Department of Natural Resources cisco and rainbow smelt preservation
2.18 permit number;

2.19 B. lot number; and

2.20 C. date of processing.