



Minnesota Department of Natural Resources (DNR)

Commissioner's Order #1 ML 2016

Amend walleye limits to make adjustments to manage fisheries in the 1837 Ceded Territory (Mille Lacs)

Effective Date: September 6, 2016

Statutory authority: *Minnesota Statute*, section 97C.005, subd. 3

Supersedes: Expedited Emergency Game and Fish Rule part 6264.0400, subp.4, item E, referring to the possession and size limits for walleye: Mille Lacs Lake Fishing as published in the 2 May 2016 State Register (40 SR 1485).

BACKGROUND

Each year a harvestable surplus is set for walleye in Mille Lacs Lake pursuant to the procedures set forth in the 1996 Stipulated Settlement and Federal Consent Decree adopted by the Minnesota Federal District Court in 1997 and affirmed by the U.S. Supreme Court in 1999. The harvestable surplus is the volume of fish that can be harvested safely from Mille Lacs Lake while ensuring sufficient remaining walleye in the lake for a healthy fishery. The harvestable surplus is then divided between the state of Minnesota and the eight Chippewa Tribal Bands.

During the first seven months of December 2015 through June 2016, harvest rates were consistently at or below predicted levels due to tight regulations adopted for both the winter and open water seasons. Based upon those results, the total harvest was expected to be below the state's 28,600-pound limit for this twelve-month period.

The state's creel report by the Minnesota Department of Natural Resources that estimates walleye harvests, releases, and mortality showed drastic increases in the state's angler kill beginning in the July 1-15, 2016, creel period and persisting through the July 16-31, 2016, creel period. This unexpected spike is believed to be due to unusual circumstances, including unusually high catch rates and rapidly warming water temperatures. Warm water greatly increases mortality of walleye that must be released by anglers because of the catch and release only regulation. The so-called "hooking mortality" of walleyes that die after being released

counts towards the state quota. Based on these recent angler survey results, modification of the existing walleye harvest regulations needs to be put in place as soon as possible.

The state of Minnesota has surpassed its annual harvest limit of 28,600. Pursuant to the 1999 U.S. Federal Court decision, the state is closing the Mille Lacs walleye fishing season.

ORDER

Now, Therefore, It is hereby ordered that:

The Mille Lacs Lake state recreational walleye fishing season will close until further notice. Beginning at 12:01 AM on Tuesday, September 6, 2016, no walleye may be taken from or possessed on Mille Lacs Lake. The DNR will provide public notice of this walleye fishing closure on Mille Lacs Lake by issuing a statewide news release, and posting information at Mille Lacs Lake and on the DNR's website at least 24 hours before the walleye fishing closure becomes effective.

Fishing for all other species, including muskellunge, northern pike, bass, perch, and panfish, and the existing regulations for all other species, continue unaffected by this order.

August 23, 2016

/s/ TOM LANDWEHR
Tom Landwehr, Commissioner