



Minnesota Department of Natural Resources (DNR)

Commissioner's Order #2 ML 2016

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

Effective Date: December 1, 2016

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

Supersedes: Commissioner's Order #1 ML 2016

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 in most cases can be harvested 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 nine months of December 2015 through July 2016, the state of Minnesota surpassed its annual harvest limit of 28,600. The state closed the Mille Lacs walleye fishing season on September 6, 2016, for the remainder of the allocation year.

The Department of Natural Resources has determined that it can reopen the walleye fishing on Mille Lacs Lake during the winter 2016/17 fishing season, which begins on December 1, 2016 and extends through February 26, 2017. This decision is based upon the results of recent fisheries surveys that indicate that the Mille Lacs walleye fishery can accommodate an ice fishery.

The Department intends to resume regulating fishing on Mille Lacs Lake under the Expedited Emergency Game and Fish Rule adopted on May 2, 2016, except that the Department intends to implement a harvest season with a harvest slot limit for walleye, and modify the northern pike size limit. The possession limit for walleye will be one. All walleye in possession

must be from 19.0 inches to 21.0 inches in length, inclusive, or 28.0 inches or greater in length. The northern pike regulation will be identical to the regulation in effect for the winter 2015/16 season, which was a possession limit of five and a provision that a person must take two northern pike less than 30.0 inches in length before possessing a northern pike 30.0 inches or greater in length. Of the five pike possession limit, only one northern pike may be 30.0 inches or greater in length. Department staff will assess Mille Lacs Lake creel data periodically throughout the ice fishing season to inform future management decisions.

ORDER

Now, Therefore, It is hereby ordered that:

Commissioner's Order #1 ML 2016, signed on August 23, 2016, and published in the September 29, 2016, State Register (41 SR 282), expires at 12:01 AM on Thursday, December 1, 2016, after which the Expedited Emergency Game and Fish Rule part 6264.0400, subp.4, for species other than northern pike item A and walleye item E, referring to the possession and size limits for northern pike walleye: Mille Lacs Lake Fishing as published in the 2 May 2016 State Register (40 SR 1485), again take effect.

1. From December 1, 2016, at 12:01 a.m., through February 26, 2017, at 11:59 p.m., the possession limit for walleye is one, and walleye in possession must be:
 - a. Equal to or more than 19 inches in length and equal to or less than 21 inches in length; or
 - b. Equal to or longer than 28 inches in length.
2. From December 1, 2016, at 12:01 a.m., through March 26, 2017, at 11:59 p.m., the possession limit for northern pike is five. A person may possess one northern pike equal to or more than 30 inches in length provided that at least two northern pike less than 30 inches in length taken on the same day from Mille Lacs Lake are in immediate possession, and taken by the same person, before a person may possess a northern pike equal to or more than 30 inches in length. Party fishing rules do not apply when possessing a northern pike more than 30 inches in length.

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

November 22, 2016

/s/ TOM LANDWEHR

Tom Landwehr, Commissioner