

## **Commissioner's Order #1 ML 2017**

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

**Date:** 24 July 2017

**Statutory authority:** *Minnesota Statutes*, 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 8 May 2017 State Register (41 SR 1287)

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#### **BACKGROUND**

Each year a harvestable surplus is set for walleye in Mille Lacs Lake by a joint management process between the state and the eight Chippewa Bands. The harvestable surplus is the pounds of fish that can safely be taken from Mille Lacs Lake while ensuring sufficient walleye remaining in the lake for a healthy population. The harvestable surplus is then divided between the state and the bands. The total safe harvest level for the 2017 fishing season (December 1, 2016 through November 30, 2017) was set at 64,000 pounds. The state's allocation was 44,800 pounds, with the bands receiving the balance. The State's conservation cap is 55,800 pounds.

To stay within its share of the harvestable surplus the state, by expedited emergency rule, closed the Mille Lacs walleye fishery to state harvest for 21 days from July 7 through July 27, 2017. The rule further provides that the Mille Lacs walleye fishery will reopen to state harvest at 12:01 a.m on July 28, 2017 and close again on September 5, 2017 at 12:01 a.m. The state's creel report prepared by the Minnesota Department of Natural Resources, which estimates walleye harvests, releases, and mortality, showed higher than expected walleye kill in the state's fishery angler through the July 1-15, 2017, creel period. The state's creel showed that the state may reach the conservation cap prior to September 5, 2017. As a result, the state is legally required to make adjustments to the 2017 Expedited Emergency Game and Fish Rule for Mille Lacs Lake to comply with its agreement with the eight Chippewa Bands.

#### **ORDER**

Now, therefore, it is hereby ORDERED that:

1. If at any time prior to September 5, 2017, the department's angler creel survey results indicate that state harvest is likely to exceed either its annual harvest limit or its annual conservation cap, the state will modify the season, close or continue the closure of the Mille Lacs walleye fishery until further notice. The department 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.

2. 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.

Dated: July 19, 2017

/s/ SARAH STROMMEN  
Assistant Commissioner