

Department of Natural Resources

Chapters:

Adopted Expedited Emergency Game and Fish Rules:

6264

MILLE LACS LAKE FISHING; UPPER RED LAKE FISHING

PUBLISHED 05-04-2020

EFFECTIVE 05-04-2020

EXPIRES 11-04-2021 (18 months)

Please see the attachment for language of this expedited emergency game and fish rules package relating to fishing Mille Lacs Lake and Upper Red Lake. This rule package may be amended by rule or commissioner's order.

1.1 **Department of Natural Resources**

1.2 **Adopted Expedited Emergency Game and Fish Rules: Mille Lacs Lake Fishing**

1.3 **6264.0400 DESIGNATED SPECIAL MANAGEMENT WATERS.**

1.4 *[For text of subparts 1 to 3, see Minnesota Rules]*

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

1.7 A. The angling season for northern pike begins at 12:01 a.m. May 9, 2020, and
1.8 continues to 11:59 p.m. March 31, 2021. While a person is on or fishing in Mille Lacs Lake
1.9 or its associated tributaries to the posted boundaries, the possession limit for northern pike
1.10 is three. All northern pike in possession must be less than 24 30 inches in length or greater
1.11 than 36 inches in length. All northern pike that are 24 to 36 30 inches or greater in length,
1.12 inclusive, must be immediately returned to the water. A person's possession limit may not
1.13 include more than one northern pike over 36 inches in length.

1.14 B. ~~The possession limit for smallmouth bass is one. While a person is on or fishing~~
1.15 ~~in Mille Laes Lake or its associated tributaries to the posted boundaries, all smallmouth~~
1.16 ~~bass in possession must be 21 inches or greater in length. All smallmouth bass less than 21~~
1.17 ~~inches in length must be immediately returned to the water. Unless otherwise authorized~~
1.18 ~~by special permits for fishing tournaments, the angling season for largemouth and smallmouth~~
1.19 ~~bass begins at 12:01 a.m. May 9, 2020, and continues to 11:59 p.m. February 28, 2021. All~~
1.20 ~~largemouth and smallmouth bass caught before the Saturday of Memorial Day weekend~~
1.21 ~~must be immediately returned to the water. Beginning at 12:01 a.m. September 14, 2020,~~
1.22 ~~all smallmouth bass must be immediately returned to the water. While a person is on or~~
1.23 ~~fishing in Mille Lacs Lake or its associated tributaries to the posted boundaries, the possession~~
1.24 ~~limit for largemouth and smallmouth bass in aggregate is three. All largemouth and~~
1.25 ~~smallmouth bass in possession must be less than 17 inches in length. All largemouth and~~
1.26 ~~smallmouth bass that are 17 inches or greater in length must be immediately returned to the~~

2.1 water. The commissioner must grant a waiver of the size, possession, and season restrictions
2.2 for largemouth and smallmouth bass under this item for a limited number of bass-fishing
2.3 tournaments each year if the commissioner determines that the tournament is in the public
2.4 interest and will not detrimentally affect the health of the fishery. When determining whether
2.5 to grant a waiver, the commissioner must consider the:

- 2.6 (1) tournament size;
2.7 (2) expected participation;
2.8 (3) potential to generate public interest and local economic activity; and
2.9 (4) conservation and biological health of the fishery.

2.10 C. Mille Lacs Lake is closed to ~~the taking of fish between the hours of 10 p.m.~~
2.11 ~~and 6 a.m. daily during the period commencing (night angling) beginning at 10 p.m. on the~~
2.12 ~~Monday following the Saturday two weeks prior to the Saturday of Memorial Day weekend~~
2.13 ~~May 11, 2020, and ending at 12:01 a.m. on Monday, four weeks after the date of~~
2.14 ~~commencement. During the closure, no person shall be on the waters of Mille Laes Lake~~
2.15 ~~while having in possession any equipment whereby fish may be taken. Spearing is prohibited~~
2.16 ~~from December 1 through April 30. A person may not have a spear in possession while on~~
2.17 ~~or fishing in Mille Laes Lake during this period~~ December 1, 2020, except as provided in
2.18 subitems (1) and (2).

2.19 (1) Beginning June 6, 2020, at 10:00 p.m. and subject to the bait restrictions
2.20 under item H, subitem (3), fishing for muskellunge and northern pike is allowed between
2.21 10:00 p.m. and 6:00 a.m. daily. Angling for, harvesting, and possessing species other than
2.22 muskellunge and northern pike during these hours is prohibited.

2.23 (2) Beginning June 6, 2020, at 10:00 p.m., bow fishing for rough fish is
2.24 allowed between 10:00 p.m. and 6:00 a.m. daily. A person must not possess any angling

3.1 equipment while bow fishing under this subitem. Angling for, harvesting, and possessing
3.2 species other than rough fish while bow fishing during these hours is prohibited.

3.3 *[For text of items D and E, see Minnesota Rules]*

3.4 F. The walleye restrictions under subitems (1) and (2) apply while a person is on
3.5 or fishing in Mille Lacs Lake or its associated tributaries to the posted boundaries.

3.6 (1) Beginning at 12:01 a.m. May 9, 2020, until 11:59 p.m. November 30,
3.7 2020, and except as provided under subitem (2), all walleye must be immediately returned
3.8 to the water.

3.9 (2) Beginning at 12:01 a.m. July 1, 2020, until 11:59 p.m. July 31, 2020,
3.10 angling for walleye is prohibited.

3.11 F. G. Fish that are taken by angling and not immediately released into the water
3.12 after capture are considered to be in possession and part of the bag limit. Once a fish has
3.13 been reduced to possession, culling or live-well sorting (the act of exchanging one fish for
3.14 another) is not allowed, except that culling or live-well sorting before meeting a bag limit
3.15 of fish reduced to possession is allowed for largemouth and smallmouth bass.

3.16 H. The bait restrictions under subitems (1) to (3) apply while a person is on or
3.17 fishing in Mille Lacs Lake or its associated tributaries to the posted boundaries. For purposes
3.18 of this part, "bait" means whole or parts of fish; minnow; annelid worms, such as night
3.19 crawlers and garden worms; leeches; or crayfish and includes live, dead, or preserved items.

3.20 (1) There are no bait restrictions for angling from 12:01 a.m. May 9, 2020,
3.21 through 9:59 p.m. May 11, 2020, and after November 30, 2020.

3.22 (2) For purposes of this subitem, "day-angling period" means from 6:00 a.m.
3.23 to 9:59 p.m. during any 24-hour period after May 9, 2020, through November 30, 2020.
3.24 During the day-angling period, the following bait restrictions apply:

4.1 (a) there are no bait restrictions during the day-angling period from May
 4.2 11, 2020, through June 30, 2020, or from August 1, 2020, through November 30, 2020; and

4.3 (b) from 12:01 a.m. July 1, 2020, until 11:59 p.m. July 31, 2020, angling
 4.4 may be conducted using only artificial lures. No person may use or have in possession bait,
 4.5 except for northern pike or muskellunge anglers who may use sucker minnows greater than
 4.6 eight inches in length.

4.7 (3) During the muskellunge and northern pike night-angling period under
 4.8 item C, subitem (1), only artificial muskellunge and northern pike lures greater than eight
 4.9 inches in length, measured from the front of the eye of the lure to the end of the trailing
 4.10 hook, or sucker minnows greater than eight inches in length may be used or in possession.
 4.11 During the night-angling period, no person while angling may have in possession tackle or
 4.12 bait other than that specifically used for muskellunge or northern pike during the muskellunge
 4.13 or northern pike night-angling period under item C, subitem (1).

4.14 G. I. This subpart applies to the following waters.

	Name	Location	County
4.16 4.17	(1) Mille Lacs	T.42-45, R.25-28, S.Various	Aitkin, Mille Lacs
4.18	(2) Borden Creek	T.44, R.25, S.5	Aitkin
4.19	(3) Seastade Creek	T.45, R.26, S.22	Aitkin
4.20 4.21	(4) Marmon (Twenty) Creek	T.45, R.25, S.32	Aitkin
4.22	(5) Grave Creek	T.45, R.25, S.8	Aitkin
4.23	(6) Peterson Creek	T.43, R.25, S.5	Mille Lacs
4.24 4.25	(7) Thains River (Malone Creek)	T.42, R.25, S.2	Mille Lacs
4.26	(8) West Sucker Creek	T.42, R.25, S.18	Mille Lacs
4.27	(9) South Sucker Creek	T.42, R.25, S.18	Mille Lacs

5.1	(10)	Garrison (Borden) Creek	T.44, R.28, S.12	Crow Wing
5.2				
5.3	(11)	Seguchie Creek	T.44, R.28, S.36	Crow Wing
5.4	(12)	Reddy Creek	T.45, R.26, S.23	Aitkin
5.5	(13)	Whitefish Creek	T.43, R.27, S.7	Mille Lacs
5.6	(14)	Seventeen Creek	T.44, R.25, S.17,18,29	Aitkin
5.7	(15)	Cedar Creek	T.43, R.25, S.15	Mille Lacs
5.8	(16)	McCleans Creek	T.45, R.27, S.34	Aitkin
5.9	(17)	unnamed	T.43, R.25, S.8	Mille Lacs
5.10	(18)	unnamed	T.42, R.26, S.11	Mille Lacs
5.11	(19)	unnamed	T.42, R.26, S.22	Mille Lacs
5.12	(20)	unnamed	T.43, R.27, S.8	Mille Lacs
5.13	(21)	unnamed	T.43, R.27, S.6	Mille Lacs
5.14	(22)	unnamed	T.43, R.27, S.21	Mille Lacs
5.15	(23)	unnamed	T.44, R.27, S.31	Crow Wing
5.16	(24)	unnamed	T.44, R.28, S.36	Crow Wing
5.17	(25)	unnamed	T.44, R.27, S.4	Aitkin
5.18	(26)	unnamed	T.45, R.27, S.25	Aitkin
5.19	(27)	unnamed	T.44, R.25, S.29	Aitkin
5.20	(28)	unnamed	T.44, R.25, S.31,32	Aitkin
5.21	(29)	unnamed	T.44, R.28, S.24	Crow Wing
5.22	(30)	unnamed	T.44, R.28, S.13	Crow Wing
5.23	(31)	Rum River Outlet	T.43, R.27, S.33	Mille Lacs

5.24 *[For text of subparts 5 to 58, see Minnesota Rules]*

5.25 **Subp. 59. Upper Red Lake and listed tributaries.**

5.26 *[For text of item A, see Minnesota Rules]*

6.1 B. The restrictions in this item apply while a person is on or fishing in the waters
6.2 listed under item C:

6.3 ~~(1) the daily and possession limit for walleye is two fish, of which not more~~
6.4 ~~than one walleye shall be over 26 inches in length;~~

6.5 ~~(2) all walleye in possession must be less than 17 inches or greater than 26~~
6.6 ~~inches in length;~~

6.7 ~~(3) all walleye that are 17 inches to 26 inches in length, inclusive, must be~~
6.8 ~~immediately returned to the water; and~~

6.9 ~~(4) a person's statewide bag limit shall not include more than two walleye~~
6.10 ~~taken from Upper Red Lake and the tributaries listed under item C.~~

6.11 (1) Beginning May 9, 2020, the daily and possession limit for walleye is four,
6.12 of which not more than one may be over 17 inches in length. This subitem is effective
6.13 through October 31, 2020, or until total harvest for the waters listed in item C exceeds the
6.14 harvest limits identified in subitem (4), in which case subitem (5) applies.

6.15 (2) Beginning November 1, 2020, the daily and possession limit for walleye
6.16 is determined by estimates of the mature female spawning stock of walleye, based on fall
6.17 gill-net assessments from the preceding year. If mature female spawning stock of walleye
6.18 is 4.5 pounds or less per acre, then the daily and possession limit for walleye is three, of
6.19 which not more than one may be over 17 inches in length. If mature female spawning stock
6.20 of walleye is greater than 4.5 pounds per acre, then the daily and possession limit for walleye
6.21 is four, of which not more than one may be over 17 inches in length. This subitem is effective
6.22 through February 28, 2021, or until total harvest for the waters listed in item C exceeds the
6.23 harvest limits identified in subitem (4), in which case subitem (5) applies.

6.24 (3) Beginning May 15, 2021, the daily and possession limit for walleye is
6.25 determined by estimates of mature female spawning stock of walleye, based on fall gill-net

7.1 assessments from the preceding year. If mature female spawning stock of walleye is 4.5
7.2 pounds or less per acre, then the daily and possession limit for walleye is four, of which not
7.3 more than one may be over 17 inches in length. If mature female spawning stock of walleye
7.4 is greater than 4.5 pounds per acre, then the daily and possession limit for walleye is four,
7.5 of which not more than one may be over 20 inches.

7.6 (4) For purposes of this item, a harvest year extends from December 1 through
7.7 November 30 of the following calendar year. For each harvest year, the total harvest is set
7.8 by determining estimates of mature female spawning stock of walleye, based on fall gill-net
7.9 assessments from the preceding harvest year.

7.10 (a) If mature female spawning stock of walleye is greater than 4.5 pounds
7.11 per acre, the harvest limit is 408,000 pounds.

7.12 (b) If mature female spawning stock of walleye is 4.5 pounds per acre
7.13 or less, the harvest limit is 288,000 pounds.

7.14 (5) If at any time during a harvest year the total estimated walleye harvest
7.15 from waters listed in item C exceeds the limits set under subitem (4), the waters are closed
7.16 to all walleye harvest except catch and release. At least five days before implementing this
7.17 subitem, the commissioner must post notice of the catch-and-release restriction on the
7.18 department website and at all public-water access sites on the waters listed under item C.
7.19 The restriction under this subitem is not effective until the commissioner posts the required
7.20 notice, and the restriction remains in effect until the end of the harvest year.

7.21 (6) Under no circumstances may a person's statewide bag limit include more
7.22 walleye taken from Upper Red Lake and the tributaries listed under item C than that allowed
7.23 in subitem (1), (2), (3), (4), or (5).

7.24 *[For text of item C, see Minnesota Rules]*

7.25 *[For text of subparts 60 to 147, see Minnesota Rules]*

8.1 **REPEALER.** The expedited emergency amendments to Minnesota Rules, part 6264.0400,
8.2 subpart 4, published in the State Register, volume 43, page 1297, May 6, 2019, are repealed.

8.3 The expedited emergency amendments to Minnesota Rules, part 6264.0400, subpart 59,
8.4 published in the State Register, volume 43, page 493, October 29, 2018, are repealed.

8.5 **EFFECT OF RULE.** The expedited emergency amendments to Minnesota Rules, part
8.6 6264.0400, subpart 4, supersede the Commissioner's Order issued by the commissioner of
8.7 natural resources on December 1, 2018.