

## **Commissioner's Order #2 ML 2021: Amend Cisco Season and Limit to Make Adjustments to Manage Fisheries in the 1837 Ceded Territory (Lake Mille Lacs)**

**Effective Date:** February 28, 2022

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

Supersedes: Expedited Emergency Game and Fish Rule 6264.0400, subd. 4, item F, referring to the angling seasons and possession restrictions for multiple fish species: Mille Lacs Fishing Regulations as published in the 10 May 2021 State Register (45 SR 1203)

Supplements: Commissioner's order published in the 6 December 2021 State Register (46 SR 690)

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### **BACKGROUND**

The Mille Lacs Lake fishery is managed pursuant to a joint management process between the state and the eight Ojibwe Bands (Bands) that are signatory to the Treaty of 1837. Through that process the State and the Bands jointly assess the population health of the various species in Lake Mille Lacs.

Mille Lacs Lake cisco are a popular target of many anglers and they are also important forage for walleye and muskellunge. Data collected on the Mille Lacs Lake cisco population show a population decline over the past 30 years. Several years ago the possession limit for cisco in Mille Lacs Lake set forth in Minn. R. 6264.0400, subp. 4E was reduced to ten (10) cisco. Despite this reduction annual harvest has still exceeded 20,000 pounds in recent years and the cisco population has continued to decline. Although climate change plays a primary role in the decline of cisco, reducing harvest by reducing the possession limit serves as a climate adaptation strategy intended to slow the population decline. To address this issue Commissioner's Order #1 ML2021 reduced the cisco possession limit from ten (10) to five (5).

The Commissioner's Order also closed the cisco fishery effective 11:59 P.M. February 27, 2022 which had the effect of creating a season for cisco on Mille Lacs Lake. The closure of the Mille Lacs Lake cisco fishery is inconsistent with the general state rule that there is no state season for cisco. The Mille Lacs Lake cisco fishery can sustain a year round cisco harvest if the cisco possession limit is continued at five (5). Because of the reduced possession limit and the fact that cisco are commonly targeted in March on Mille Lacs Lake it was determined that at this time and consistent with the state general rule, there should be no closed season for the Mille Lacs Lake cisco fishery.

Commissioner's Order # 2 ML 2021 reopens the Mille Lacs Fishery beyond February 27, 2022 but at the reduced bag limit of five (5). For all other species, the Expedited Emergency Game and Fish Rule adopted on May 10, 2021, as modified by Commissioner's Order # 1 ML 2021, will remain in effect.

## **ORDER**

**NOW, THEREFORE, IT IS HEREBY ORDERED**, pursuant to authority vested in me by law, including *Minnesota Statutes*, section 97C.005, subdivision 3, that:

1. The angling season for cisco on Mille Lacs Lake shall be extended beyond 11:59 p.m. of February 27, 2022 and shall remain open until such time as the cisco season should be closed by state rule or commissioner's order. While a person is on or angling in Lake Mille Lakes or its associated tributaries to the posted boundaries, the bag limit for cisco is five (5).

2. Fishing for all other species and the existing regulations as modified by Commissioner's Order # 1 ML 2021, continue unaffected by this order.

Saul Stearns