Minnesota Department of Natural Resources

Division of Fish and Wildlife

NOTICE OF INTENT TO ADOPT EXPEDITED RULES WITHOUT A PUBLIC HEARING

Proposed Amendment to Rules Governing Fishing Regulations for Inland Waters, *Minnesota Rules*, part 6262.0200; Revisor's File Number R-4955

Introduction. The Department of Natural Resources (DNR) intends to adopt rules under the expedited rulemaking process following the rules of the Court of Administrative Hearings, *Minnesota Rules*, part 1400.2410, and the Administrative Procedure Act, *Minnesota Statutes*, section 14.389. You may submit written comments on the proposed expedited rules until Thursday, October 23, 2025.

Agency Contact Person. Submit comments, questions, or a request for hearing on the rules to Shannon Fisher, Fisheries Populations Monitoring and Regulations Manager, at Minnesota Department of Natural Resources, 500 Lafayette Road, St. Paul, Minnesota 55155, telephone 651-259-5206, or email shannon.fisher@state.mn.us.

Subject of the Expedited Rules. The proposed expedited rules adjust Minnesota's regulations for fishing largemouth and smallmouth bass.

> **Minnesota Rules, part 6262.0200, subpart 1, item A.** The proposed changes would create a new catch-and-release season for largemouth and smallmouth bass covering all portions of the annual calendar not already covered by either a harvest season or an existing catch-and-release season.

Statutory Authority. The statutory authorities to adopt these rules are:

- Minnesota Statutes, section 97C.395, subdivision 1, paragraph (a), clause (1), established the season for largemouth and smallmouth bass. In 2025, the legislature modified § 97C.395 and moved the largemouth and smallmouth bass season into subdivision 2 for species with a continuous season.
- Minnesota Statutes, section 97A.045, subdivision 1, directs the commissioner to do all things the commissioner determines necessary to preserve, protect, and propagate desirable species of wild animals, and to make special provisions for the management of fish and wildlife to ensure recreational opportunities for anglers and hunters.
- Minnesota Statutes, section 97A.045, subdivision 4, provides that the commissioner may regulate the taking, possession, and transportation of wild animals from state and international boundary waters.

The statutory authority to adopt the rules under the expedited rulemaking process is Minnesota Statutes, section 84.027, subdivision 13a, paragraph (b). The DNR is using the expedited permanent rulemaking procedure to complete the rules changes before the opening of Minnesota's spring fishing season on March 1, 2026, and to include the changes in the 2026 fishing regulations handbook.

Publication of proposed rules. A copy of the proposed rules is published in the State Register and attached to this notice as mailed. A free copy of the rules is available upon request from the Agency Contact Person listed above. The proposed expedited rules may be viewed on the DNR rulemaking webpage at mndnr.gov/input/rules.

Comments. You have until 4:30 p.m. on Thursday, October 23, 2025, to submit written comment in support of or in opposition to the proposed expedited rules and any part or subpart of the rules. Your comment must be in writing and received by the Agency Contact Person by the due date. The DNR encourages comment. Your comment should identify the portion of the proposed expedited rules addressed and the reason for the comment. In addition, you are encouraged to propose any change desired. You must also make any comments that you have on the legality of the proposed rules during this comment period. If the proposed expedited rules affect you in any way, the DNR encourages you to participate in the rulemaking process.

Request for Hearing. In addition to submitting comments, you may also request that a hearing be held on the rules. You must make your request in writing and the Agency Contact Person must receive it by 4:30 p.m. on October 23, 2025. Your written request must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the DNR cannot count it for determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

Withdrawal of Requests. If 50 or more persons submit a valid written request for a hearing, a public hearing will be held unless a sufficient number withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 50, the DNR must give written notice of this to all persons who requested a hearing, explain the action the DNR took to effect the withdrawal, and ask for written comments on this action. If the DNR is required to hold a public hearing, it will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

Modifications. The DNR may modify the proposed expedited rules using either of two avenues: The DNR may modify the rules directly so long as the modifications do not make them substantially different as defined in *Minnesota Statutes*, section 14.05, subd. 2, paragraphs (b) and (c). Or the DNR may adopt substantially different rules if it follows the procedure under *Minnesota Rules*, part 1400.2110. If the final rules are identical to the rules originally published in the State Register, the DNR will publish a notice of adoption in the State Register. If the final rules are different from the rules originally published in the State Register, the DNR must publish a copy of the changes in the State Register.

Alternative Format. Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make such a request, please contact the Agency Contact Person at the address or telephone number listed above.

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. You may direct questions regarding this requirement to the Campaign Finance and Public Disclosure Board at: Suite #190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone (651) 539-1180 or 1-800-657-3889.

Adoption and Review of Expedited Rules. If no hearing is required, the DNR may adopt the rules at the end of the comment period. The DNR will then submit rules and supporting documents to the Court of Administrative Hearings for review for legality. You may ask to be notified of the date that the DNR submits the rules. If you want to be so notified or want to receive a copy of the adopted rules or want to register with the DNR to receive notice of future rule proceedings, submit your request to the Agency Contact Person listed above.

Date: 9/2/2025

/s/ SARAH STROMMEN
Sarah Strommen, Commissioner of Natural Resources