

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 Waters with Restrictions on Taking Fish, *Minnesota Rules*, part 6262.0575; Revisor's ID Number R-4871

Introduction. The Minnesota Department of Natural Resources (DNR) intends to adopt rules under the expedited permanent rulemaking process following the rules of the Office 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, November 13, 2025.

Agency Contact Person. Submit comments, questions, or a request for hearing on the rules to Shannon J. 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 fishing regulations for inland waters.

1. **Minnesota Rule, part 6262.0575, subpart 2.** Research demonstrates Lake Pepin and portions of the Mississippi River function as a single system. Therefore, the fish community among these riverine habitats is shared and should be managed under the same set of regulations, including the portion of Mississippi River Pool 3 that is within Minnesota and not a border water with Wisconsin (aka the inland portion of Pool 3). However, the current game fish regulations for the inland portion of Pool 3 are inconsistent with the remainder of the connected system.

Because the inland portion of Pool 3 is not a boundary water, inland fishing regulations apply, except for walleye and sauger, which are regulated under in Minnesota Rules, part 6262.0575, subpart 2. The walleye and sauger regulations currently do not match the connected boundary waters regulation for walleye and sauger. This proposed rulemaking establishes special regulations for additional species in these inland waters to conform with the Lake Pepin and Mississippi River boundary waters regulations. It also amends the walleye and sauger regulations to conform with regulations for Lake Pepin and the Mississippi River boundary waters. A summary of the proposed rule changes is provided in Table 1, below.

Table 1. Current and proposed fishing regulations for inland portion of Mississippi River Pool 3.

Species	Current Inland Pool 3 Regulations	Proposed Regulations to match Lake Pepin/Mississippi River Boundary Waters
Walleye and Sauger	<p>Possession limit: 6 combined, 15" minimum for walleye, only 1 walleye over 20"</p> <p>Season: Saturday two weeks prior to the Saturday of Memorial Day weekend through the third Sunday in February</p>	<p>Daily and possession limit: 4 combined, 15" minimum for walleye, only 1 walleye or sauger over 20"</p> <p>Season: Continuous</p>
Largemouth and Smallmouth Bass	<p>Daily and possession limit: 6 combined</p> <p>Season: Saturday two weeks prior to the Saturday of Memorial Day weekend through the Friday before Memorial Day (catch and release only). Saturday of Memorial Day weekend through the last Sunday in February (harvest season). Smallmouth bass only: Second Monday in September through the last Sunday in February (catch and release only)</p>	<p>Daily and possession limit: 5 combined, 14" minimum</p> <p>Season: Continuous</p>
Northern Pike	<p>Daily and possession limit: 2, 24" minimum</p> <p>Season: Saturday two weeks prior to the Saturday of Memorial Day weekend through the third Sunday in February</p>	<p>Daily and possession limit: 3, only 1 over 30"</p> <p>Season: Continuous</p>
White and Yellow Bass	<p>Daily and possession limit: 30 combined</p> <p>Season: Continuous</p>	<p>Daily and possession limit: 10 combined</p> <p>Season: Continuous</p>
Sunfish	<p>Daily and possession limit: 20</p> <p>Season: Continuous</p>	<p>Daily and possession limit: 15</p> <p>Season: Continuous</p>
Yellow Perch	<p>Daily limit: 20 Possession limit: 40</p> <p>Season: Continuous</p>	<p>Daily and possession limit: 15</p> <p>Season: Continuous</p>

Crappie	Daily and possession limit: 10 Season: Continuous	Daily and possession limit: 15 Season: Continuous
Channel and Flathead Catfish	Daily and possession limit: 5 combined, only 2 may be flathead catfish, only 1 over 24" Channel Catfish Season: Continuous Flathead Catfish Season: April 1 through November 30.	Daily and possession limit: 10 combined, only 1 over 30" Channel Catfish Season: Continuous Flathead Catfish Season: April 1 through November 30.
Muskellunge	Daily and possession limit: 1, 54" minimum size Season: First Saturday in June through November 30.	Daily and possession limit: 1, 50" minimum size Season: Saturday nearest Memorial Day through November 30.

2. **Minnesota Rules, part 6262.0575, subpart 3.** Little Sauk Lake has had a special set of regulations in place for more than ten years. These special regulations include a sunfish limit of five, crappie limit of five, yellow perch limit of ten, walleye limit of two, and largemouth bass limit of one. These special regulations have not had the desired effect, except for the sunfish and crappie limit of five. Therefore, we propose striking Minnesota Rules, part 6262.0575, subpart. 3. The sunfish and crappie daily limits of five will be retained with re-establishment in Designated Special and Experimental Waters, Minnesota Rules, part 6264.0400.

3. **Minnesota Rules, part 6262.0575, subpart 12.** There are ten small water bodies (Gamehaven Reservoir, Cascade Lake, Manor Woods Pond, Silver Lake, Silver Creek Reservoir, Bear Creek Reservoir, Willow Creek Reservoir, Foster-Arend Lake, Kalmar Reservoir, and Quarry Hill Nature Center Pond) managed collectively as the "Rochester Area Lakes." These waters have special regulations that include a limit of ten sunfish, crappie, and yellow perch in aggregate. Five of these lakes also have a daily and possession limit for northern pike of one. Northern pike have been found in some of the other five lakes and we propose extending the northern pike limit to those lakes as well. This rule change also brings the special regulations for these ten lakes together into a single part of rule.

4. **Minnesota Rules, part 6262.0575, subpart 14.** Contrary to current rule language, La Salle Lake has been managed for more than a decade with a northern pike limit of one. Signage at the lake indicates a limit of one for northern pike. However, the current rule indicates that the regulation for northern pike on this lake is catch and release only. Catch and release was never the intent of the management plan for this lake. Modifying the rule to align with the management approach that has been in place (i.e., a limit of one) will not have an adverse impact on the northern pike population. The proposed

change removes catch and release language and adds a daily and possession limit of one for northern pike as intended for this lake.

5. Effective dates. The amendments to Subparts 2 and 12 and the repealer will be effective March 1, 2026, to coincide with the start of the next cycle of fishing regulations. Subpart 14 will be effective upon publication of DNR's notice of adoption to eliminate the discrepancy described in #4 above as soon as possible.

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

- Minnesota Statutes, section 97A.045, subdivision 1, which directs the commissioner to do all things necessary to "preserve, protect, and propagate desirable species" of wildlife, including fish, and to make special provisions for the management of fish to ensure recreational opportunities for anglers.
- Minnesota Statutes, section 97C.325(d), which authorizes the commissioner to prescribe restrictions on fishing seasons, limits, or methods on specific bodies of water to protect water quality or improve habitat for fish and wildlife.
- Minnesota Statutes, section 97C.401, subdivision 1, which directs the commissioner to adopt rules prescribing "the limits on the number of species of fish that may be taken in any one day and the number that may be possessed."

The statutory authority to adopt the rules under the expedited rulemaking process is Minnesota Statutes, section 84.027, subd. 13a (b). The DNR is using the expedited permanent rulemaking procedure to complete the rules changes before the opening of Minnesota's fishing season on March 1, 2026, and to include the changes in the 2026 fishing regulations booklet which goes into production in fall of 2025.

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](https://mndnr.gov/input/rules) at mndnr.gov/input/rules.

Comments. You have until 4:30 p.m. on Thursday, November 13, 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 November 13, 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*, section 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, subdivision 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 Office 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.

9/22/2025

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