

## **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 Native Rough Fish Management, Minnesota Rules, chapters 6115, 6133, 6259, 6260, and 6262; Revisor's File Number R-4971**

**Introduction.** The Department of Natural Resources (DNR) intends to adopt rules under the expedited permanent 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 rules until Thursday, March 12, 2026.

**Agency Contact Person.** Submit comments, questions, or a request for hearing on the rules to John Dunn, Fisheries Rules and Regulations Coordinator, at Minnesota Department of Natural Resources, 500 Lafayette Road, St. Paul, Minnesota 55155, telephone 651-259-5235, or email [john.dunn@state.mn.us](mailto:john.dunn@state.mn.us).

**Subject of the Expedited Permanent Rules.** The proposed expedited permanent rules would amend Minnesota's regulations on native rough fish populations.

**Minnesota Rules, part 6115.0231, subpart 2, item C.** The proposed changes differentiate between native rough fish and common carp.

**Minnesota Rules, part 6133.0090, item C.** The proposed changes clarify the minnow restitution value applies to Catostomidae 12 inches or less in length.

**Minnesota Rules, part 6259.0100, subpart 2, items A and D.** The proposed changes modify "rough fish" to "native rough fish" and differentiate between native rough fish and common carp.

**Minnesota Rules, part 6260.1500, subpart 1, items A and B.** The proposed changes modify "rough fish" to "native rough fish," excluding bowfin.

**Minnesota Rules, part 6260.1600, subpart 1.** The proposed changes modify "rough fish" to "native rough fish," excluding bowfin.

**Minnesota Rules, part 6260.1800, subpart 1.** The proposed changes modify "rough fish" to "native rough fish."

**Minnesota Rules, part 6260.1900, subpart 1.** The proposed changes modify "rough fish" to "native rough fish" and differentiate between native rough fish and common carp.

**Minnesota Rules, part 6260.2000, subpart 5.** The proposed changes modify "rough fish" to "native rough fish" and differentiate between native rough fish and common carp.

**Minnesota Rules, part 6262.0600, subparts 1, 1a., 1b., and 1d.** The proposed changes modify “rough fish” to “native rough fish” and differentiate between native rough fish and common carp.

**Minnesota Rules, part 6262.0650.** The proposed changes modify “rough fish” to “native rough fish,” eliminate daily and possession limits previously listed, and states the daily and possession limits can be found in 6262.0200.

**Minnesota Rules, part 6262.0700.** The proposed changes modify “rough fish” to “native rough fish” and differentiate between native rough fish and common carp.

**Minnesota Rules, part 6262.0750.** The proposed changes modify “rough fish” to “native rough fish” and differentiate between native rough fish and common carp.

**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 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, and
- Minnesota Statutes, section 97A.045, subdivision 4, which 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 permanent rulemaking process is Minnesota Statutes, section 84.027, subdivision 13a, paragraph (b).

**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 rules may be viewed on the [DNR rulemaking webpage](http://mndnr.gov/input/rules) at [mndnr.gov/input/rules](http://mndnr.gov/input/rules).

**Comments.** You have until 4:30 p.m. on Thursday, March 12, 2026, to submit written comments in support of or in opposition to the proposed rules and any part or subpart of the rules. Your comments must be in writing and received by the Agency Contact Person by the due date. The DNR encourages comment. Your comments should identify the portion of the proposed 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 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 proposed rules. You must make your request in writing and the Agency Contact Person must receive it by 4:30 p.m. on Thursday, March 12, 2026. 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 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.

1/16/26

Date

Barb Naramore

Barb Naramore, Deputy Commissioner of Natural Resources