

1 Department of Natural Resources

2

3 Adopted Permanent Rules Relating to Experimental and Special

4 Management Waters

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6 Rules as Adopted

7 6268.0010 DEFINITIONS.

8 Subpart 1. Scope. For purposes of parts 6268.0010 to
9 6268.0040, the following terms have the meanings given them
10 unless otherwise provided.

11 Subp. 2. Commissioner. "Commissioner" means the
12 commissioner of natural resources.

13 Subp. 3. Department. "Department" means the Minnesota
14 Department of Natural Resources.

15 Subp. 4. Experimental waters. "Experimental waters" has
16 the meaning given it in Minnesota Statutes, section 97C.001.

17 Subp. 5. Special management waters. "Special management
18 waters" has the meaning given it in Minnesota Statutes, section
19 97C.005.

20 6268.0020 AUTHORITY; SCOPE; PURPOSE.

21 Subpart 1. Authority. Parts 6268.0010 to 6268.0040 are
22 adopted under authority of Minnesota Statutes, sections 97C.001
23 and 97C.005.

24 Subp. 2. Scope. Parts 6268.0010 to 6268.0040 apply to
25 public initiation and public participation in the evaluation of
26 all experimental and special management waters designations.

27 Subp. 3. Purpose. The purpose of parts 6268.0010 to
28 6268.0040 is to ensure adequate opportunity for public
29 involvement in the initiation, designation, and evaluation of
30 experimental or special fishing regulations adopted under
31 Minnesota Statutes, sections 97C.001 and 97C.005.

32 6268.0030 PUBLIC INITIATION OF EXPERIMENTAL AND SPECIAL
33 MANAGEMENT WATERS DESIGNATION.

34 Subpart 1. Submission of proposals. A person,

1 organization, or other entity may submit a proposal to the
2 commissioner at any time for designation of specific lakes or
3 streams as experimental or special management waters. Proposals
4 must include the following information:

5 A. names of waters proposed for designation and
6 counties where waters are located;

7 B. description of proposed experimental or special
8 regulations;

9 C. objective of proposed experimental or special
10 regulations;

11 D. documentation of public support for the proposal;
12 and

13 E. proposed implementation date.

14 Subp. 2. Proposal evaluation. The commissioner shall
15 evaluate proposals for experimental or special management waters
16 based on the following criteria:

17 A. presence of an objective which meets a defined
18 biological or social need supported by reliable information;

19 B. compatibility with existing programs of the
20 department;

21 C. public acceptance;

22 D. compatibility with existing state law;

23 E. availability of sufficient funding if needed for
24 evaluation; and

25 F. scientific validity and conformance with
26 established biological principles.

27 Subp. 3. Action on proposal. The commissioner may deny a
28 proposal which does not meet the criteria in subpart 2, or may
29 suggest modifications to the proposal so that it better meets
30 the criteria. The commissioner shall notify originators of
31 proposals of acceptance, denial, or suggested modifications
32 within three months of receiving the proposal. The commissioner
33 shall provide a written explanation for denials and suggestions
34 for modification. The originator of the proposal may decide to
35 accept suggested modifications or to drop the proposal.
36 Acceptance of a proposal by the commissioner is not a guarantee

1 that the proposal will be implemented as experimental or special
2 management waters.

3 Subp. 4. Proposal approval. Proposals which are accepted
4 by the commissioner are subject to further review by the
5 department; public notice and meeting requirements of Minnesota
6 Statutes, sections 97C.001, subdivision 2, and 97C.005,
7 subdivision 1; and all other applicable state law before final
8 approval and implementation. The commissioner may order that a
9 proposal be dropped or modified at any time during the internal
10 review or public notification process. If a proposal is dropped
11 or modified, the commissioner shall provide the reasons for this
12 action in writing to the originator of the proposal. The
13 originator of the proposal may decide to accept the
14 commissioner's modifications or to drop the proposal.

15 6268.0040 PUBLIC PARTICIPATION IN EVALUATION OF EXPERIMENTAL AND
16 SPECIAL MANAGEMENT WATERS DESIGNATION.

17 Subpart 1. Experimental waters. Public meetings held to
18 determine if experimental waters should be terminated, extended,
19 or designated as special management waters must provide an
20 opportunity for public review, comment, and questions concerning
21 the proposed action. The commissioner shall review public
22 comments before making a final determination on whether
23 experimental waters should be terminated, extended, or
24 designated as special management waters. Final determination
25 regarding changes in experimental waters designation will
26 consider public comments, but will also be based on natural
27 resource needs and department management plans.

28 Subp. 2. Special management waters. The commissioner may
29 hold meetings to allow public review, comment, and questions
30 concerning existing special management waters. The commissioner
31 shall review public comments before making a determination on
32 changing the status of special management waters. Final
33 determination regarding changes in special management waters
34 designation will consider public comments, but will also be
35 based on natural resource needs and department management plans.