

1.1 **Department of Natural Resources**

1.2 **Proposed Permanent Rules Relating to Fishing Contests**

1.3 **6212.2400 PERMIT REQUIREMENTS FOR FISHING CONTESTS.**

1.4 Subpart 1. **Fishing contest permits.** Issuance of permits for fishing contests is
1.5 provided for by Minnesota Statutes, section 97C.081. Permits may also be required, as
1.6 provided by Minnesota Statutes, section 86B.121, by the sheriff of the county in which
1.7 the contest is held. Application to obtain a permit must be made a minimum of 14 days
1.8 prior to the contest on forms provided by the commissioner. Application information
1.9 includes name of contest, name and address of permittee, name of sponsor, name and
1.10 location of contest waters, public accesses to be used with a parking plan as provided
1.11 in part 6212.2700, fish species included in the contest, weigh-in stations, fish handling
1.12 and release procedures, disposition of harvested fish, estimated number of participants,
1.13 contest dates and hours, entry fee, and prize values. Contest rules must be attached to the
1.14 application. Application forms may be obtained from department fisheries offices or
1.15 the department Web site. Completed applications must be submitted to the department
1.16 regional office responsible for the management of the contest waters or the department's
1.17 Saint Paul office if the contest includes waters in more than one region.

1.18 Subp. 2. **Permittee requirements.** The contest permittee must be an individual and
1.19 a resident of the state. The permittee is responsible for conducting the contest and may not
1.20 delegate responsibility to another party.

1.21 **6212.2525 PERMITTED FISHING CONTESTS.**

1.22 Subpart 1. **Limitation on number of boats.** Contest participation is limited to not
1.23 more than one boat for each ten acres of contest water.

2.1 Subp. 2. **Equipment requirements.** The following boat live-well and fish-holding
2.2 equipment requirements are mandatory for all live-release contests to minimize negative
2.3 impacts to fish:

2.4 A. must have functional water pump or circulation system; and

2.5 B. must be sufficiently sized to handle the anticipated number of fish allowed in
2.6 the event.

2.7 Subp. 3. Contest denials. The commissioner shall not issue fishing contest permits
2.8 for:

2.9 A. tagging or marking fish for special contest rewards;

2.10 B. contests that promote or allow fizzing (the act of inserting a needle into a
2.11 fish's gas bladder);

2.12 C. contests where boat take-off procedures result in unsafe boating;

2.13 D. contests on waters where the commissioner determines the activity may
2.14 compromise the fish management or research data being collected; or

2.15 E. contests on opening days, holidays, and other high-use periods that the
2.16 commissioner determines result in unacceptable safety risks.

2.17 Subp. 4. Permit conditions.

2.18 A. For the purposes provided in Minnesota Statutes, section 97C.081,
2.19 subdivision 4, the following conditions or restrictions may be specified in the permit:

2.20 (1) seasonal and daily restrictions;

2.21 (2) geographical restrictions;

2.22 (3) fish holding equipment;

2.23 (4) daily and possession limits;

3.1 (5) contest length;

3.2 (6) treatment, decontamination, and management practices, including
3.3 those for transport and disposal of infested waters, to prevent the transport of pathogens
3.4 and invasive species;

3.5 (7) use of live bait; or

3.6 (8) handling and transport.

3.7 B. The commissioner shall consider the following criteria when determining
3.8 conditions to be included in the permit:

3.9 (1) whether the activity will advance knowledge, understanding,
3.10 interpretation, or management of a fish species, fish community, or water body;

3.11 (2) impacts on other public uses, research efforts, educational events,
3.12 or management activities;

3.13 (3) impacts to spawning fish or areas, rice beds, critical habitat, or the
3.14 fish community;

3.15 (4) whether the activity is detrimental or helps achieve management
3.16 objectives for the specific water body;

3.17 (5) whether water temperature, water quality conditions, or pathogens
3.18 would lead to undue mortality of released fish;

3.19 (6) whether contest activities during high-use periods are anticipated to
3.20 cause unacceptable safety risks;

3.21 (7) whether contest activities during high-use periods are anticipated to
3.22 cause user conflicts;

3.23 (8) whether the water body is infested and what invasive species are
3.24 present;

4.1 (9) the type of tournament being conducted on an infested water body; or

4.2 (10) whether the applicants are coming from an area known to be infested
4.3 with invasive species.

4.4 Subp. 5. Restrictions on off-site weigh-ins. The commissioner shall not issue
4.5 fishing contest permits to conduct an off-site weigh-in if the contest organizer cannot
4.6 prevent the transport of invasive species or pathogens from activities associated with
4.7 the contest. To prevent the transport of invasive species or pathogens associated with
4.8 conducting the contest, the permit shall require, at a minimum, draining and refilling water
4.9 holding equipment with groundwater or treated water, as specified by the commissioner:

4.10 A. at the access site before leaving to go to another water body;

4.11 B. at the access site before going to the weigh-in location; and

4.12 C. at the weigh-in location.

4.13 Subp. 6. Restrictions on live release weigh-ins.

4.14 A. Except for weigh-ins when fish are immediately released, as defined in
4.15 Minnesota Statutes, section 97A.015, subdivision 26c, at the location where caught, the
4.16 commissioner shall not issue fishing contest permits for live release weigh-ins:

4.17 (1) when water temperature, water quality conditions, or pathogens may
4.18 lead to undue mortality of released fish;

4.19 (2) for fishing contests involving muskellunge (*Esox masquinongy*),
4.20 sturgeon (Acipenseridae family), or trout and salmon (Salmonidae family); or

4.21 (3) for fishing contests involving walleye, sauger, and their hybrids (*Sander*
4.22 genus within the Percidae family) from:

5.1 (a) Memorial Day to Labor Day for all inland and border waters
5.2 located in and south of Traverse, Grant, Douglas, Todd, Morrison, Mille Lacs, Kanabec,
5.3 and Pine Counties, except Lake Mille Lacs; and

5.4 (b) from June 14 to Labor Day for all other inland and border waters,
5.5 including Lake Mille Lacs.

5.6 B. The commissioner shall not issue fishing contest permits to release fish
5.7 alive after an off-site weigh-in:

5.8 (1) when fish will be held more than 2-1/2 hours from the time they leave
5.9 the contest waters until they are returned to contest waters;

5.10 (2) when 100 or more fish will be weighed-in for the contest;

5.11 (3) for fishing contests involving northern pike (*Esox lucius*); or

5.12 (4) for fishing contests involving bass (*Micropterus* genus within the
5.13 Centrarchidae family) during July and August.

5.14 C. The commissioner may exempt fishing contests on the Canadian border
5.15 waters from the requirements described in item B, subitems (2) and (4), if the contest was
5.16 operating prior to January 1, 2008, and the contest is:

5.17 (1) held in consecutive years;

5.18 (2) not moved to a new location or water body; and

5.19 (3) not conducted with more than 65 participating boats or 130 participating
5.20 anglers.

5.21 **6212.2600 POSSESSION OF FISH.**

5.22 [For text of subps 1 and 2, see M.R.]

5.23 Subp. 3. **Authority to hold and release fish.** In contests where fish may be returned
5.24 to the contest ~~water~~ waters, the permittee may be authorized to hold healthy fish and
6.1 release them immediately following weigh-in. Suitable release sites may be specified in
6.2 the permit for the purposes provided in Minnesota Statutes, section 97C.081, subdivision

6.3 4. The commissioner shall consider the following criteria to determine when a specific
6.4 release location should be included in the permit:

6.5 A. water or habitat quality at or near release sites would result in undue
6.6 mortality of released fish;

6.7 B. barriers such as dams or channels that may limit natural fish movement or
6.8 redistribution;

6.9 C. genetics of the contest fish and the fish population where the contest fish
6.10 are being released;

6.11 D. preferred fish habitat, home range of the contest fish, or where the fish
6.12 was caught is beyond what the fish species has been reported in the scientific literature
6.13 to reasonably navigate;

6.14 E. release of the contest fish at another location would lead to localized depletion
6.15 of fish stocks from contest waters where the contest fish were caught and removed; or

6.16 F. release of contest fish may result in the spread of diseases or invasive species.

6.17 **Subp. 4. Gifting and donating fish.**

6.18 A. To prevent the waste of fish, a contest organizer may be permitted to accept
6.19 from contest participants fish lawfully taken and possessed during a contest for gifting
6.20 to a charitable or nonprofit organization as defined by the Internal Revenue Service or a
6.21 charity that is registered with the Attorney General's Office, Charities Division, and listed
6.22 on the attorney general's Web site. Contest organizers wanting to be permitted for gifting
6.23 and donating fish must fill out the appropriate sections of the contest application.

6.24 B. A permitted contest organizer and representatives from the charitable or
6.25 nonprofit organization must distribute the gifted fish at no cost or consideration.

7.1 C. The contest organizer must keep records regarding the fish donated by
7.2 contestants for two years. The records must include:

- 7.3 (1) the names and addresses of contest participants donating the fish;
- 7.4 (2) the contest participant's license number or possession permit number
7.5 under which the fish were lawfully taken or possessed;
- 7.6 (3) the number and species of fish donated;
- 7.7 (4) the date, location, and contest permit number associated with the
7.8 donation; and
- 7.9 (5) the name of the designated representative for the charitable or nonprofit
7.10 organization to which the fish are being donated and the date of the transfer to that person.

7.11 D. The following information must accompany the donated fish as the fish are
7.12 transferred. Each representative of a charitable or nonprofit organization in possession of
7.13 the fish must keep a copy of the documentation until the fish are consumed or otherwise
7.14 destroyed:

- 7.15 (1) the contest organizer's name and address;
- 7.16 (2) the date, location, and contest permit number associated with the
7.17 donation;
- 7.18 (3) the total number of each fish species that was donated;
- 7.19 (4) the date of transfer; and
- 7.20 (5) the charitable or nonprofit organization's name, designated
7.21 representative, and address.

7.22 **6212.2700 CONTEST OPERATION.**

7.23 Subpart 1. **Restriction on use of public accesses.** No contest may preempt use of
7.24 a boat ramp or parking spaces at public access to contest waters. Contests shall not use
8.1 more than 50 percent of the parking spaces at state-owned sites unless authorized by the
8.2 permit. A contest organizer who seeks to use more than 50 percent of the parking spaces

8.3 at a state-owned site must submit a plan on how to manage parking, on a parking plan
8.4 form provided by the commissioner, when the organizer submits the contest application.

8.5 [For text of subp 2, see M.R.]

8.6 Subp. 3. **Inspection and removal of ~~exotic organisms~~ invasive species.** Inspection
8.7 and removal of ~~exotic organisms~~ invasive species, including, but not limited to, species
8.8 such as zebra mussels or Eurasian water milfoil, as provided by Minnesota Statutes,
8.9 ~~section 18.317~~ sections 84D.05, 84D.09, 84D.10, and 84D.13, from boats ~~and~~₂ trailers,
8.10 and related equipment entering and leaving water accesses is required.

8.11 [For text of subp 4, see M.R.]

8.12 **REPEALER.** Minnesota Rules, part 6212.2500, is repealed.