

CHAPTER 6216
DEPARTMENT OF NATURAL RESOURCES
HARMFUL EXOTIC SPECIES

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| 6216 0300 | DESIGNATION, NOTICE, AND MARKING OF INFESTED WATERS | 6216 0500 | TRANSPORTATION AND APPROPRIATION OF WATER FROM INFESTED WATERS |
| 6216 0350 | DESIGNATED INFESTED WATERS | | |
| 6216 0400 | RESTRICTED ACTIVITIES ON INFESTED WATERS, PERMITS | | |

6216.0300 DESIGNATION, NOTICE, AND MARKING OF INFESTED WATERS.

[For text of subpart 1, see M.R.]

Subp. 2 [Repealed, 24 SR 1849]

Subp. 3. [Repealed, 24 SR 1849]

Statutory Authority: *MS s 84D 03, 84D 12*

History: *24 SR 1849*

6216.0350 DESIGNATED INFESTED WATERS.

Subpart 1 **Listing of waters infested with Eurasian water milfoil.** The following water bodies are designated by the commissioner as infested with Eurasian water milfoil (*Myriophyllum spicatum*). Activities at these waters are subject to parts 6216.0100 to 6216 0600, Minnesota Statutes, section 84D 13, and other applicable laws

| Name | DNR Protected Waters Inventory Number |
|--|--|
| A Anoka County | |
| (1) Cenaiko Lake | 02-0654 |
| (2) Centerville Lake | 02-0006 |
| (3) Crooked Lake | 02-0084 |
| (4) Lake George | 02-0091 |
| (5) Otter Lake | 02-0003 |
| (6) Unnamed lake in Springbrook Nature Center | 02-0688 |

[For text of item B, see M.R.]

C Chisago County

| | |
|----------------|---------|
| (1) Ellen Lake | 13-0047 |
| (2) Green Lake | 13-0041 |
| (3) Rush Lake | 13-0069 |

[For text of item D, see M.R.]

E. Dakota County

| | |
|------------------|---------|
| (1) Crystal Lake | 19-0027 |
| (2) Lac Lavon | 19-0347 |
| (3) Lake Marion | 19-0026 |
| (4) Twin Lakes | 19-0028 |

[For text of item F, see M.R.]

G. Hennepin County

| | |
|------------------------|---------|
| (1) Arrowhead Lake | 27-0045 |
| (2) Bass Lake | 27-0098 |
| (3) Brownie Lake | 27-0038 |
| (4) Bryant Lake | 27-0067 |
| (5) Bush Lake | 27-0047 |
| (6) Lake Calhoun | 27-0031 |
| (7) Cedar Lake | 27-0039 |
| (8) Christmas Lake | 27-0137 |
| (9) Dutch Lake | 27-0181 |
| (10) Eagle Lake | 27-0111 |
| (11) Fish Lake | 27-0118 |
| (12) Forest Lake | 27-0139 |
| (13) Gleason Lake | 27-0095 |
| (14) Lake Harriet | 27-0016 |
| (15) Hiawatha Lake | 27-0018 |
| (16) Lake Independence | 27-0176 |
| (17) Lake of the Isles | 27-0040 |
| (18) Libbs Lake | 27-0085 |
| (19) Little Long Lake | 27-0179 |
| (20) Long Lake | 27-0160 |
| (21) Medicine Lake | 27-0104 |
| (22) Minnehaha Creek | 27-0000 |
| (23) Lake Minnetonka | 27-0133 |
| (24) Niccum's Pond | private |
| (25) Lake Nokomis | 27-0019 |
| (26) Parker's Lake | 27-0107 |
| (27) Peavy Lake | 27-0138 |
| (28) Lake Rebecca | 27-0192 |
| (29) Rice Lake | 27-0116 |
| (30) Round Lake | 27-0071 |
| (31) Lake Sarah | 27-0191 |
| (32) Schmidt Lake | 27-0102 |
| (33) Swan Lake | 27-0000 |
| (34) Tanager Lake | 27-0141 |
| (35) Whaletail Lake | 27-0184 |
| (36) Wirth Lake | 27-0037 |

H Itasca County

| | |
|-------------------|---------|
| (1) Ice Lake | 31-0372 |
| (2) McKinney Lake | 31-0370 |

I. Kanabec County

| | |
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| (1) Knife Lake | 33-0028 |
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J Meeker County

| | |
|---------------------|---------|
| (1) Stella Lake | 47-0068 |
| (2) Lake Washington | 47-0046 |

K Mille Lacs County

| | |
|--|---------|
| (1) Lake Mille Lacs | 48-0002 |
| (2) from the mouths of each tributary of Lake Mille Lacs | |

| | |
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| upstream to the first public road | 48-0000 |
| L. Olmsted County | |
| (1) George Lake | 55-0008 |
| M. Pope County | |
| (1) Gilchrist Lake | 61-0072 |
| (2) Lake Minnewaska | 61-0130 |
| N. Ramsey County | |
| (1) Bald Eagle Lake | 62-0002 |
| (2) Lake Gervais | 62-0007 |
| (3) Island Lake | 62-0075 |
| (4) Keller Lake | 62-0010 |
| (5) Phalen Lake | 62-0013 |
| (6) Round Lake | 62-0012 |
| (7) Silver Lake | 62-0001 |
| (8) Spoon Creek, between Keller and Phalen Lakes | 62-0000 |
| (9) Sucker Lake | 62-0028 |
| (10) Lake Vadnais | 62-0038 |
| (11) Lake Wabasso | 62-0082 |
| O. St. Louis County | |
| (1) Gilbert Pit Lake | 69-1306 |
| P. Scott County | |
| (1) Lower Prior Lake | 70-0026 |
| Q. Stearns County | |
| (1) unnamed wetland along Clearwater River | 73-0312 |
| R. Todd County | |
| (1) Sauk Lake | 77-0150 |
| S. Washington County | |
| (1) Powers Lake | 82-0092 |
| (2) White Bear Lake | 82-0167 |
| (3) St. Croix River | 82-0001 |
| T. Wright County | |
| (1) Augusta Lake | 86-0284 |
| (2) Beebe Lake | 86-0023 |
| (3) Buffalo Lake | 86-0090 |

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| (4) Clearwater Lake | 86-0252 |
| (5) Clearwater River, downstream of Clearwater Lake | 86-0000 |
| (6) Lake Mary | 86-0156 |
| (7) Little Waverly Lake | 86-0106 |
| (8) Lake Pulaski | 86-0053 |
| (9) Rock Lake | 86-0182 |
| (10) Sugar Lake | 86-0233 |
| (11) Waverly Lake | 86-0114 |
| (12) Weigand Lake | 86-0242 |

U Multiple counties

- (1) Mississippi River,
downstream of St Anthony Falls

[For text of subps 2 to 6, see MR]

Statutory Authority: *MS s 84D 03, 84D 12*

History: *24 SR 1849*

6216.0400 RESTRICTED ACTIVITIES ON INFESTED WATERS; PERMITS.

Subpart 1. **Taking bait from infested waters.** The taking of wild animals from infested waters for bait or aquatic farm purposes is prohibited, except:

A by permit accordmg to part 6254.0200 and Minnesota Statutes, sections 84D.03, subdivision 3, and 84D 11, subdivision 2a; and

B harvest for bait purposes from waters that are designated as infested waters solely because they contain Eurasian water milfoil is allowed for noncommercial personal use .

Subp 1a. Permit application.

A. Written application for a permit to harvest wild animals from infested waters for bait or aquatic farm purposes shall be made on a form provided by the commissioner and shall contain:

- (1) the applicant's legal name, business name, license number, address, and daytime and evening telephone numbers;
- (2) the names of the waters and counties where the apphcant desires to harvest wild animals for bait or aquatic farm purposes, and
- (3) a description of the harvest and transportation equipment to be used, including boats, motors, and trailers

B An application for a permit accordmg to part 6254 0200 and Mmnesota Statutes, sections 84D.03, subdivision 3, and 84D.11, subdivision 2a, must be mailed or delivered to the Mmnesota DNR-Commercial Fisheries Program. Coordinatord, 500 Lafayette Road, St Paul, MN 55155-4012.

C An application for a permit under this part must be submitted by March 1 to be considered for permits that are effective on April 10 of the same year

Subp 1b **Expiration; renewal; transferability.** Permits issued under this part expire at midnight on April 9 of each year, unless otherwise specified in the permit An application for renewal shall describe any changes to the information submitted in the prior year A permit issued under this part is not transferable.

Subp 1c Revocation of permit.

A When the commissioner determines that a permittee has failed to comply with conditions of the permit, the commissioner may issue a warning or, if deemed necessary for the protection of the aquatic resources, revoke all or part of a permit The commissioner may revoke the permit if deemed necessary for the protection of the

aquatic resources. When it is determined that a third offense has occurred, the commissioner must revoke the permit.

B. Except in an emergency situation when delay would threaten the state's natural resources, the commissioner shall, at least seven days before the effective date of the revocation, inform the permit holder in writing of the nature of the revocation and of the conditions that, in the commissioner's opinion, require revocation.

C. Upon notice of revocation, the permit holder may apply for an amendment to the permit or request a contested case hearing to contest the revocation. The permit is revoked on the date stated in the revocation notice until such time that the decision is reversed or modified.

Subp 2 Restrictions on sport gill netting for whitefish and ciscoe in infested waters. If the commissioner designates waters that are open to sport gill netting for whitefish and ciscoe as infested waters, the commissioner may close the gill netting season for the designated water body, require that gill nets used in the infested waters not be used in other water bodies, or require that nets used in infested waters must be dried for a minimum of ten days or frozen for a minimum of two days before they are used in noninfested waters. The commissioner shall publish the names of designated water bodies and new requirements or closures in the State Register and provide notice through media releases and other available means where practical. In addition, the commissioner shall post notice of the restrictions at public access points to designated water bodies.

Subp 3 Commercial fishing restrictions in infested waters. Nets, traps, buoys, anchors, stakes, and lines used for commercial fishing or turtle, frog, or crayfish harvesting purposes that are used in infested waters must be dried for a minimum of ten days or frozen for a minimum of two days before they are used in noninfested waters. All aquatic vegetation must be removed from nets and other equipment when they are removed from infested waters. Commercial operators must notify the department's regional or area fisheries office or a conservation officer when removing nets or equipment from infested waters and before resetting those nets or equipment in noninfested waters.

Subp 4 [Repealed, 24 SR 1849]

Statutory Authority: *MS s 84D 12*

History: *24 SR 1849*

6216.0500 TRANSPORTATION AND APPROPRIATION OF WATER FROM INFESTED WATERS.

Subpart 1 Transporting water and wild animals from infested waters. Water from infested waters may not be used to transport wild animals except as provided in subpart 4. Live fish taken under a commercial fishing license may be transported from infested waters to other waters or holding facilities from May 1 to October 31 with a transportation permit issued by the department pursuant to Minnesota Statutes, section 17 4985.

Subp 2 Disposition of water used to transport wild animals from infested waters. Water used to transport wild animals from infested waters pursuant to subpart 1, including water from waters or facilities permitted to hold fish from infested waters, may be disposed of only at sites approved in writing by the commissioner.

[For text of subps 3 and 4, see M.R.]

Subp 5 Fish hatchery or aquatic farm operations in infested waters.

[For text of items A to C, see M.R.]

D. Fish raised in artificial water basins that have populations of prohibited or regulated exotic species, or in any facility using infested water as a source, must be sold directly to a wholesale buyer for processing, except:

(1) the commissioner may by permit allow the stocking or transport of such fish where the receiving waters contain populations of the same prohibited or regulated exotic species as the source facility's waters; or

(2) the commissioner may by permit allow the stocking or transport of such fish in water bodies that do not contain populations of prohibited or regulated exotic species if the source facility uses adequate treatment to remove the prohibited or regulated exotic species from the facility

[For text of subp 6, see MR]

Statutory Authority: *MS s 84D 12*

History: *24 SR 1849*