

STATE OF MINNESOTA
DEPARTMENT OF NATURAL RESOURCES

COMMISSIONER'S ORDER NO. 2338

REGULATIONS RELATING TO THE TAKING,
POSSESSION, PURCHASE, TRANSPORTATION, SALE
AND CULTURING OF FRESHWATER CRAYFISH

Pursuant to authority vested in me by law, I, Joseph N. Alexander, Commissioner of Natural Resources, hereby prescribe the following regulations for the taking, possession, purchase, transportation, sale and culturing of freshwater crayfish.

Section 1. HARVESTING FOR PERSONAL USE.

Any person possessing a valid resident or nonresident angling license may take and possess for personal use only not more than 25 pounds of live, whole freshwater crayfish. Such crayfish may not be sold. Such crayfish may be harvested in any waters of the state where fish may be taken by angling, unless otherwise posted, and to which the harvester has legal access.

Sec. 2. PERMITS FOR COMMERCIAL HARVEST AND CULTURE.

(a) Permit Required. No person shall take or possess more than 25 pounds of live, whole freshwater crayfish without first obtaining a written permit from the Director of the Division of Fish and Wildlife. No crayfish culture shall be attempted without first obtaining a written permit from the Director of the Division of Fish and Wildlife.

(b) Permit Issuance. Permits shall be issued upon application pursuant to the following criteria:

(1) Application shall be made on forms provided and shall be submitted to the local area fisheries office.

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(2) Permits will be issued only to Minnesota residents who possess a valid Minnesota fish angling license.

(3) All crew members working for permittee must possess a valid Minnesota fish angling license.

(4) Application forms must be signed by the applicant. All requested information must be provided. Failure to properly and fully complete an application form will result in its rejection.

(5) Crayfish taken incidental to other aquatic commercial operations may be sold providing the operator is the holder of a valid crayfish harvesting permit.

(c) Permit Duration. No permit shall be valid for more than one season, as defined in Sec. 3 of this order. Permits may be issued for periods of time shorter than one season, at the discretion of the Director.

(d) Permit Revocation. In addition to the penalties set forth in Sec. 11 of this order, the Director may revoke any permit upon his determination that revocation is necessary for protection of natural resources.

Sec. 3. SEASON AND HOURS.

(a) The open season for taking crayfish is April 1 to November 30, both days inclusive.

(b) Crayfish traps may be lifted from sunrise to sunset only.

(c) Any variance requires a written amendment to the permit which will be attached to and become part of the permit.

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Sec. 4. SPECIES.

(a) All crayfish species endemic to Minnesota may be harvested or cultured, but may not be sold for bait purposes in the state.

(b) The importation of live crayfish or crayfish eggs into the state is prohibited except by written permit from the Director of the Division of Fish and Wildlife.

Sec. 5. HARVEST SITES FOR PERMITTEES.

(a) Crayfish harvest or culture sites will be identified in the permit by legal description and, if available, the Division of Waters inventory number.

(b) The taking of crayfish by a permittee or member of his or her crew from anyplace outside the identified harvest site is prohibited.

Sec. 6. GEAR FOR PERMITTEES.

(a) Crayfish shall be taken only by the gear and methods identified in the permit.

(b) No permittee or member of his or her crew shall, during crayfish harvesting activities, have in his or her possession or control any fish angling gear.

(c) Crayfish traps may be of any design. The mesh size shall be not less than one-half inch bar, or opening if other than square.

(d) Crayfish drop nets shall be of the following design: rectangular shaped mesh webbing sewn to a rigid frame, lifted by means of ropes and a hoisting pole.

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(e) Each trap or harvesting device shall be identified in a permanent and legible manner with a plastic or metal tag not smaller than one inch by three inches, bearing the permittee's name and home address.

Sec. 7. PERMITTEE OPERATIONS.

(a) All crayfish harvesting operations shall be conducted in accordance with the terms and requirements of state law, this order, and the permit.

(b) The permittee shall inform the local area fisheries office 24 hours in advance of the start of harvest operations on each permitted lake.

(c) The permittee shall be responsible for the activities of his or her crew and be accountable for all setting and lifting of traps, other gear operation and the transportation of crayfish. The crew shall not exceed five persons. All members of the crew shall be identified on the permit.

(d) Crayfish legally harvested or cultured under permit may be bought, sold and transported for food purposes only.

(e) Crayfish legally taken or cultured may be exported.

(f) Crayfish must be kept separated from all other live fish when being transported within the state.

(g) Crayfish shall be processed only at a licensed food or fish processing plant that has been established as a crayfish processing facility.

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(h) Only those persons identified on the permit can assist the permittee in any phase of the crayfish harvesting operations.

(i) All crayfish traps must be lifted at least once in each 24 hour period and all other species of fish returned to the water.

Sec. 8. CRAYFISH CULTURE.

(a) Any crayfish culture or rearing facility or pond shall be isolated from all state protected waters and shall be of a design that prevents the possibility of crayfish migration into protected waters of the state.

(b) The culture of imported crayfish is prohibited.

(c) Crayfish endemic to the state may be cultured for sale, but may not be sold for live bait purposes within the state.

(d) Scientific or academic institutions may culture imported crayfish under special permit issued by the Director of the Division of Fish and Wildlife.

Sec. 9. PERMITTEES' REPORTS, RECORDS, INSPECTIONS.

(a) Reports. All permittees shall report, on forms provided, all information requested, and shall submit reports at intervals required, to the local area fisheries office which issued the permit.

(b) Records. All permittees shall keep records in the English language of all crayfish sales transactions. This record shall be verifiable with supporting sales slips and include:

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pounds of all species of crayfish sold; name and address of buyer; and date of each transaction. These records shall be kept current within 48 hours. Failure to keep complete and current records shall result in immediate revocation of the permit and shall render the permittee ineligible for future permits.

(c) Inspections. Permittees are subject to inspection at all reasonable times by agents of the Commissioner. Subjects of inspection shall include records as required by paragraph (b) of this section, business and operations premises, all boats, employees (for licenses and identification), vehicles and gear used in crayfish harvesting operations. Established crayfish processing facilities shall accommodate assigned government agency personnel when they conduct crayfish identification investigations.

Sec. 10. RESTRICTIONS.

(a) Any sale of live crayfish within the state for fish angling bait is prohibited.

(b) Dead crayfish or the shells or meats thereof shall not be returned to the water or deposited on any shoreline or adjacent area.

(c) All crayfish under one inch in length from tip of rostrum to tip of tail shall be returned unharmed to the water as soon as possible.

(d) Regardless of size, any crayfish with eggs or young attached to its body shall be returned to the water immediately.

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(e) The distribution of any crayfish from one body of water to another within the state is prohibited except by written permission from the Director of the Division of Fish and Wildlife.

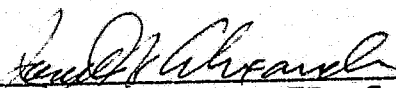
(f) The placement in waters of the state of any crayfish imported from outside the state is prohibited.

Sec. 11. PENALTIES.

Violation of any provision of state law pertaining to the harvest of crayfish, or any provisions of this order, or any terms or conditions of the permit shall immediately render the permit null and void. In addition, the violator shall be subject to all other penalties imposed by state law.

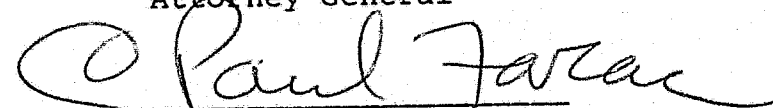
Dated at Saint Paul, Minnesota, this 19 day of

May, 1989.


JOSEPH N. ALEXANDER, Commissioner
Department of Natural Resources

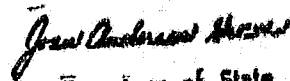
APPROVED AS TO FORM AND EXECUTION

HUBERT H. HUMPHREY, III
Attorney General


C. PAUL FARACI
Deputy Attorney General

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

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Secretary of State

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