



Chair Founj Hawj

MN Senate Environment, Climate, and Legacy
1150 Minnesota Senate Building
95 University Ave W.
St. Paul, MN 55155

Re: SF 4142- Support of legislation regarding native rough fish

Dear Chair Sen Hawj and committee members

Thank you for the opportunity to submit a letter in support of SF 4142. This bill comprehensively addresses many of the issues surrounding the reclassification of native fish in the state of Minnesota. Native rough fish are an integral part of aquatic ecosystems in Minnesota. This legislation will help insure that our state statutes fully recognize the value of these fish and allow our state agencies to manage the fish for their long term population conservation and health.

After taking part in the Minnesota Department of Natural Resources Native Rough Fish Work Group it was clear to our organization that many native fish species not classified as “game fish” are not being managed in a manner consistent with the critical ecosystem services they provide. The Minnesota Conservation Federation supports the recommendations for legislative action as outlined in the Department of Natural Resources Native Fish Conservation Report that was provided to the legislature. SF 4142 addresses many of the recommendations in the report.

One recommendation from the report that SF 4142 does not address is the request that the DNR made of the legislature to “Grant DNR expedited rulemaking authority to establish daily and possession limits on native rough fishes currently listed as rough fish using best available science and stakeholder engagement”. The introduction of daily and possession limits for the harvest of native rough fish, similar to current regulations for game fish species, would, in our opinion, be a prudent action for the agency to take given the current trajectory of some native rough fish populations and the growing recreational user base engaging with these fish.

Sincerely,
Brad Gausman
Executive Director
Minnesota Conservation Federation
brad@mncf.org

Chair Fong Hawj
Senate Committee on Environment, Climate, and Legacy
Minnesota Senate Building, 3231
St. Paul, MN 55155

March 7, 2024

Dear Chair Hawj and committee members,

The Nature Conservancy (TNC) appreciates the opportunity to comment on SF4142, the “Native Rough Fish” bill. Conserving freshwaters for biodiversity and communities are priorities for TNC. There are 26 species of “native rough fish” with proposed new protections in the bill, representing 16% of all native fishes found in the state. I represented TNC as an invited stakeholder under the Department of Natural Resources’ “Rough Fish Working Group” in 2023, which provided input used to develop the DNR’s recommendation to the legislature and ultimately the draft bill language. If passed, **SF4142 will be the first comprehensive native fish conservation bill in the country** that we believe is a significant step needed to ensure their sustainability for generations to come.

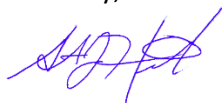
While TNC supports nearly the entirety of the draft bill language, the following are elements of the bill that we think should be included or retained to ensure that the bill works most effectively to conserve these “native rough fish” in the state:

Future expedited, permanent rulemaking needed: Expedited rulemaking was a recommendation of the DNR’s report to the legislature; however, that language is missing in the current version of SF4142. We recommend inserting language that directs the Commissioner establish daily and possession limits for “native rough fish” under section 84.027, subdivision 13a, as well as language explicitly requiring permanent rulemaking versus annual to ensure consistent protections as other sportfish species are currently provided.

Restitution values should be retained: Among the most important elements in the bill, is the establishment of restitution values for “native rough fish”. We strongly support retention and protection of restitution value language in the bill to ensure accountability needed for rule enforcement.

Thank you again for the opportunity to comment on SF4142. We hope the above recommendations will be fully considered to ensure the bill provides durable protections for “native rough fish” per its intent. If passed, **SF4142 will be the first comprehensive native fish conservation bill in the country** and will protect our natural heritage for Minnesotan’s enjoyment for years to come.

Sincerely,



Steven J. Herrington, Ph.D.
Associate Director of Water, The Nature Conservancy, MN-ND-SD



Chair Founq Hawj
 MN Senate Environment, Climate, and Energy Committee
 1150 State Office Building
 75 Rev. Dr. Martin Luther King Jr. Blvd.
 St. Paul, MN 55155

Re: SF 4142 Sec 27: Support of Elk Management Modifications

Dear Chair Founq Hawj and committee members

At the present time Minnesota hosts two elk herds that lie entirely within the state's borders and a third whose population crosses the Canadian border at times. These herds represent the primary range of elk in Minnesota. During the 2016 legislative session, the Minnesota Legislature passed a law limiting the size of the northwest elk herd ([Chapter 184 Section 8](#)). Current law ([Minnesota Statutes Section 97B.516](#)) now prevents managing elk in a manner that would increase the size of herds in Kittson, Roseau, Marshall, or Beltrami Counties unless payments for crop and fence damage have not increased for at least two years.

Due to their small population size, elk in Minnesota are currently classified as a species of special concern and have been since 1984. Without the ability to encourage herd expansion when appropriate, the state's elk population and health is being put at risk and raises concerns about genetic variation, herd structure, and behavioral changes associated with heavy hunting pressure on these small herds. Tying elk population levels to the rise and fall of crop depredation payments does not allow our Department of Natural Resources staff to make the best decisions for the health of wild elk in Minnesota.

The undersigned groups support changes to the statutory language as written in HF 4142 Section 27 because we believe the changes support the long-term vision for elk herd health and elk management in Minnesota.

Thank you for your consideration

Minnesota Conservation Federation

Backcountry Hunters and Anglers- Minnesota Chapter

Central Lakes College Natural Resources Program- Prof William Faber

Izaak Walton League- Minnesota Chapter

Minnesota Deer Hunters Association

National Deer Association

National Wildlife Federation

Sportsmen for the Boundary Waters

The Wildlife Society- Minnesota Chapter

March 6, 2024

RE: HF4015 (Jordan) Native rough fish provided, conforming changes made for aquatic farm licenses and taking and possessing fish, and rulemaking authorized

Chair Hawj and Members of the Committee,

On behalf of the Minnesota angling community, I wish to offer support for HF4015.

Subjected to limitless exploitation and treated as trash, some species of Minnesota native fish are maligned due to their position next to truly invasive fish and are collectively called “rough fish”. For years, many ecologically significant native fish species in Minnesota have been unfairly persecuted at the hands of well-meaning yet ill-informed anglers who see **anything called a rough fish as bad**.

With HF4015 on the horizon, Minnesota is uniquely poised to change this narrative in support of species that function as ecologically significant, positive members of their ecological communities.

These native rough fish:

- Serve as hosts for imperiled native freshwater mussels
- Function as prey for terrestrial and aquatic predators including eagles and larger fish
- And provide genuine recreational and culinary opportunities to the angling public

I once guided a family from California who had never seen a redhorse sucker in person. They had never heard of a sucker, never heard the term rough fish, and only fished for largemouth bass. When we caught a handful of redhorse suckers adorned in their red spawning colors, the family told me that the redhorse sucker was their favorite fish they caught among the smallmouth bass, catfish, bluegill, and yellow perch we caught alongside them. Without the negative preconceptions that the sole term rough fish conveys, these species can start to be seen as ecologically, recreationally, and socially important by the existing angling public and by new anglers.

Thank you for hearing this bill. I believe that the Committee should advance the bill and continue to support this landmark native fish initiative to help break down misconceptions and support Minnesota’s native fish.

Hiroto Hayashi

Minnesota Angler, Writer, Photographer, and Fishing Guide

Dear Chair Hansen and committee members,

My name is Elena Hansen and I had the unique opportunity to be involved with the 2023 Rough Fish Work Group as a representative for anglers & as a member of the DNR Catfish Work Group. I am writing from the perspective of someone who is non-native Minnesota, relatively new to the world of fishing, and who does not work in environmental sciences – I am writing as a concerned citizen who supports protecting our native fish for generations to come. This state has an amazing number of natural resources available to its residents – and it would be devastating to lose our native species due to lack of protection.

A little about me, my introduction to native fish was all by happenstance. I fell in love with everything that Minnesota had to offer, especially the fishing when I moved here in 2020. Although I did spend time chasing the typical game fish, my true love and calling ended up being sturgeon. Last year I spent over 1600 hours on the water including over 20 nights sleeping in my boat; this year I hope to hit 1800 hours. Sturgeon share the same habitat as many of the native fish in question for the HF4420/SF4142 bill. Two years ago I was in awe when I caught my first smallmouth buffalo as a bycatch. It was amazing to see these fish and feel their strength at the end of a rod, and fascinating that some of these fish can live nearly as long as my beloved whiskered friends, over 100+ years. That being said, I was then quickly informed about the plight these fish are facing; with no limits or regulation and with an increase in interest to kill these fish by parties that see them as a nuisance, we are in danger of losing an essential part of our ecosystem. Long lived fish can be difficult to replace when they are hunted without regulation, considering some of these fish can live nearly as long as lake sturgeon, which are still recovering decades later from years of overharvest & waste, I find it abysmal that these fish have receive little to no protection or even research. To add, unlike sturgeon, I was informed that buffalo and suckers are difficult to spawn in hatcheries – once they are gone, there is a good chance that they will never come back.

As an angler, the loss or significant decline of any species should be avoided – already some lakes are showing decreases & we have barely scratched the surface. One of the repeated statements in the DNR Rough Fish Work group was that there is very little research done on the population dynamics of these fish – but even some of the base numbers were showing a decline or statistically significant decline in these fish populations. I strongly believe we should be taking a conservative approach to this issue.

These fish historically have never received any protection – in fact many Minnesotans are unable to tell a common carp (naturalized but invasive) from the native bigmouth and smallmouth buffalo. At one of my favorite fishing spots last summer, I had the opportunity to see this lack of knowledge in action – a child ~8 years in age was shooting fish off of a bridge. Although I'd never want to take away a sport from somebody, it was extremely difficult to watch them drag helpless fish over the bridge or onto the bank into the bushes behind. Although they were shooting common carp – many of the fish they were bringing up and “disposing” of were our native species too. It got to the point that I was holding one of the trophy sized fish in my hands for a photo, and he pointed his bow at me and asked if he could shoot the fish after I was done – this was a buffalo that potentially had age spots (indicating she may have been over 50+ years old) and probably was a strong member of the breeding population in that area. I told him no, and he proceeded to shoot at the fish while I was trying to let her swim off. Afterwards (and after calming down), I approached him to let him know that these fish are native and that in my opinion, ethical bowfishing really should be for the invasive or naturalized species – I explained that they are not in fact “Buffalo Carp” but are a completely different species all together & are native. It was really enlightening to hear him say “oh I thought they were all bad,” so my hope is that this bill will help change this age old perspective & lack of respect for native fish. I returned to that same spot a month later and nearly was unable to fish – there were maggots & dead fish carcasses left across the rocks and in the grass, it was heart breaking.

I am writing to express my strong support for bill HF4420/SF4142. I believe these fish deserve protection especially through the creation of limits and allowing for a restitution value to be given. Additionally, I wanted indicated my support to treat HF4420/SF4142 as a stand alone bill instead of being included in an omnibus. Although I know the opinion of someone who has only been involved for a few years may not matter much in the eyes of the law, I hope that the fact that someone like me, with little to no background in fisheries, can support these fish & their needed protection will help convince you and your committee members to support them too.

Thank you for your time,

Elena Hansen