

**SUBJECT:** Final Draft Proposed statute change to Minnesota Statute 97C.135 ANGLING LINES AND HOOKS allowing for the purchase of a 2<sup>nd</sup> Line Endorsement

- 1. Proposal.** This proposal gives an angler the option of buying a 2<sup>nd</sup> Line Endorsement which allows the use of two lines when fishing on Minnesota inland rivers and streams during the open water season except for designated trout streams which are limited to one line.
- 2. Background.**

### **History and Intent of this Proposal.**

Minnesota Statute 97C.315. specifically limits an angler to the use of one line when fishing during the open water season. All of the border waters between Minnesota and its adjoining states allow the use of two lines during the open water season. The use of two lines is a long time established practice on all Minnesota border waters. We would like to see that practice extended to inland rivers and streams. We understand that many anglers do not want to use two lines when fishing but a large number of anglers that fish Minnesota rivers and streams would like to have the option to use a 2<sup>nd</sup> Line Endorsement. The intent of this proposal is to allow a Win – Win Option for both sides of the 2<sup>nd</sup> Line debate. Those that want to use a 2<sup>nd</sup> Line could purchase a 2<sup>nd</sup> Line Endorsement for \$10 which would legally allow them to fish two lines. We propose limiting the two-line use to Minnesota rivers and streams except for designated trout streams which would remain limited to one line.

### **Minnesota Border Waters Number of Lines Allowed**

Iowa – Minnesota Border: Anglers may use up to two lines with two hooks per line.

South Dakota – Minnesota Border: Anglers may use two lines with up to three hooks per line.

North Dakota – Minnesota Border: Two lines are permitted, and two hooks are permitted on each line.

Wisconsin – Minnesota Border: Two lines with a single lure or bait on each are permitted. If fishing with one line, you may use two baits.

### **Minnesota Inland Waters Number of Lines Allowed:**

You may use only one line during the open water season.

You may use up to three single – or multiple -pronged hooks as a single tackle configuration on the end of one fishing line.

If you use a single tackle configuration, the total length from the first hook to the last hooks must be 9 inches or less.

You may use two lines through the ice except on designated trout lakes and streams.

On a designated trout stream or lake, you can't use more than one hook on the end of your line. However, you may use an artificial lure or bait that has more than one hook.

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You may add one additional single or multiple hook on a line as part of a single artificial lure or bait. The hook must be within 3 inches of the artificial lure or bait. However, on designated trout streams or lakes, you can't add extra hooks to an artificial lure or bait.

You may have up to three artificial flies on one fishing line when you are fishing for trout, crappie, sunfish and rock bass.

**2<sup>nd</sup> or 3<sup>rd</sup> Fishing Line Permits allowed by other states:**

See Addendum 1 to this memorandum (Attached). We reviewed similar 2<sup>nd</sup> or 3<sup>rd</sup> Fishing Line permits allowed by the states of Colorado, Oregon, Idaho, Iowa, Kansas and California.

**Public Response to the 2<sup>nd</sup> Line Endorsement Option:**

Darren Troseth conducted an on-line survey using social media to determine angler response to this issue. He provided this feedback concerning the survey:

In reference to the poll I think it would be wise to specifically point out that the respondents are from many different Facebook groups and from all areas of the state. I don't want the CWG to think we are surveying select groups. This is a great cross section of fishermen. Also remember that a good majority of the "no" votes is only because they don't want the \$10 tacked on, but they do support 2 lines. I bet it would be closer to 90 percent if the fee was removed in the poll question.

Here is the question posed:

**Would you support a \$10 permit/fee (in addition to your license cost) for the privilege of using an extra fishing line anywhere in the state of MN?**

**With 3,800 responding: Yes 71% No 29%**

3. **Facts.** The use of two lines in Minnesota border water rivers and streams is a long time established practice. The Minnesota DNR has managed and enforced those border waters as well as its inland rivers and streams for years and has effective established programs and policies in place. By allowing an angler the use of one additional line on our inland rivers and streams should pose no additional challenges.
4. **Risk Assessment of the Proposal.**  
A standard 5 Step risk management review was implemented as part of our overall proposal development to include an Aquatic Invasive Species – Hazard Analysis and Critical Control Point (AIS-HACCP) review. An argument can be made that a 2<sup>nd</sup> Line Endorsement would increase fish mortality but we have no data to support that. We currently allow 2 lines on all border waters and some of those areas are heavily fished like the Mississippi River at Red Wing and the extra lines used do not seem to affect mortality. Another obvious concern is overharvest. Using the Mississippi River at Red Wing as an example the Wisconsin-Minnesota border water game fish seasons are all continuous with good sized

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possession limits for all species. All indications are that the use of two lines has had little effect on over harvest. If the Mississippi River at Red Wing can support continuous seasons for walleye, sauger, largemouth and smallmouth Bass, northern pike, channel catfish, and panfish we believe use of 2 lines on all our rivers and streams poses no risk. This conclusion is supported by a Section of Fisheries Investigational Report No 378 done in August 1984 on the Effects of Continuous Fishing on Walleye and Sauger Population in Pool 4, Mississippi River. Allowing anglers to use 2 lines on our inland rivers and streams and maintaining our current possession limits should pose no threats to fish mortality or overharvest. Our Risk Assessment concludes the Hazard Severity to be Negligible; the Hazard Probability to be Unlikely; and the overall Risk classified as Low.

- 5. Funding and Manpower Considerations.** We would expect that developing and implementing a 2<sup>nd</sup> Line Endorsement as part of the Fishing License System would require some startup funding and manpower or consultant expenditures. As previously shown those states that have implemented additional fishing line permits have created a revenue stream. We believe the sale of a 2<sup>nd</sup> Line Endorsement would generate enough revenue to more than pay for itself and the excess funds could be put to good use by the MN DNR.
- 6. Recommendation:** Recommend the following changes be made to Minnesota Statute 97C.315. Proposed language changes are indicated in Subdivision 1 (3) by **BOLD** print:

97C.315 ANGLING LINES AND HOOKS.

§Subdivision 1. Lines. An angler may not use more than one line except:

(1) two lines may be used to take fish through the ice; and

(2) the commissioner may, by rule, authorize the use of two lines in areas designated by the commissioner in Lake Superior.

**(3) with the purchase of a 2<sup>nd</sup> Line Endorsement two lines may be used to take fish during the open water season when fishing on Minnesota inland rivers and streams except for designated trout streams which are limited to one line.**

Subd. 2.Hooks. An angler may not have more than one hook on a line, except:

(1) three artificial flies may be on a line used to take largemouth bass, smallmouth bass, trout, crappies, sunfish, and rock bass;

(2) a single artificial bait may contain more than one hook; and

(3) as otherwise prescribed by the commissioner.

History: 1986 c 386 art 3 s 25; 1991 c 259 s 23; 2006 c 281 art 2 s 48

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Respectfully submitted to the Catfish Work Group for their consideration and review and approval.

**Catfish Work Group Members**

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Chad Boisjolie	<u>  X  </u>	_____
Amy Hendry	_____	_____
Luke Hentges	_____	_____
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Jay Leitch	<u>  X  </u>	_____
Josh Baynes	_____	_____
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**Addendum 1 to Final Draft Proposed Statute Change to Minnesota Statute 97C.135 ANGLING LINES AND HOOKS Allowing for the Purchase of a 2<sup>nd</sup> Line Endorsement**

**Subject: Information on 2<sup>nd</sup> or 3<sup>rd</sup> Fishing Line Permits Allowed by Other States**

**Colorado:**

Colorado has a \$4.00 extra rod stamp. It is no surprise that they have HUGE enrollment based on cost. There were 334,822 anglers in 2017, and 234,154 enrolled in the second rod stamp. That is 936,616.00 in Revenue.

In 2016 there were 334,086 anglers and 229,934 purchased the second rod stamp. That was \$919,736.00 in revenue for 2016

I asked Colorado about any complications with the extra rod stamp.

Colorado Parks & Wildlife has not completed any evaluation of mortality with use of a second rod stamp. That stamp is purchased by many anglers. Typically, anglers using those stamps are interested in harvest of the fish, and therefore delayed mortality would not be a consideration. We do find that anglers are normally using one set line (with bait) while also fishing more actively with another rod (lure, fly/bubble, spinner, etc). While using a second rod may increase their catch rate we do not see it being twice (2X) that of anglers using a single rod. Regardless of method, or use of a second rod, CPW evaluates catch rates, harvest and exploitation information when setting regulations. If over-harvest is evident, then consideration is given to limiting harvest in some way (bag or length limits). Eliminating use of second rod stamp has not been used as a means to reduce harvest. However, in most trout waters where length limits are in effect, the use of bait is usually restricted (which largely eliminates use of second rods by anglers).

**Oregon:**

What is unique and similar in a way to our extra line proposal is Oregon limits their second pole validation to Lakes and Reservoirs, opposite of what we are going for. The reasoning behind this is because Rivers and Streams are more commonly fished for their beloved salmon. They do not allow 2nd lines in their Rivers and Streams to help protect that species. This might hold a valuable arguing point for our compromise to extending this proposal to Rivers and Streams only. Even though they have what I consider high angler participation in the program, it just goes to show that many are wanting a second line to fish Lakes and Reservoirs for others species. I feel this that could be a similar case for our Rivers and Streams, but we can't get an accurate number of how many primarily fish a river.

Oregon started the 2nd line validation back in 2011 with just 12,204 anglers participating. They didn't have all the stats readily available but were able to tell me when it started in 2011 but couldn't get me the fee. They did state since the implement that the numbers of those who purchase it has increased in numbers each year and expect it to keep growing. In 2014 the fee was \$17.00. In 2016 the fee was \$21.50 In 2018 the fee will be \$24.50.

Oregon has a variety of different fishing licenses and non- resident visitors; They started to list of numbers ranging from resident anglers, sport fishing anglers, junior sport fishing anglers, to non- residents, and the list kept going. Soon after they just rounded up to an annual average of about 400,000 anglers.

In 2016 they had 22,858 participate in the 2nd pole validation.  $22,858 \times 21.50 = \$491,447.00$ . So in 2016 they generated \$491,447.00 in revenue.

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In 2018 the fee will be 24.50 and based on the popularity of the number of enrollments increasing each year I will use 2016's number with the 2018 fee.  $22,858 \times 24.50 = \$560,021.00$

I think the slight increases in fees just show that, for this state it is becoming a popular perk, that is really generating lots of revenue, for species less desired than their beloved salmon where you generally have to fish Streams and Rivers. Oregon does not have Conservation Officers. The state police is the enforcer and they regularly check on anglers and I am happy to report that the person I spoke with said the State Police is doing a great job at enforcing everything with minimum effort as they are already checking anglers regardless.

### **Idaho:**

Idaho has a lot of different license options, but they sent me over several years of statistics in a spread sheet. Looking at their stats they had a couple of good years from 2014 - 2016 but took a slight decline last year.

Total anglers for 2016 that purchased an angling license was 326,128. Of those anglers 3,216 (Just under 1% of anglers) purchased a 2nd pole permit. The fee for the 2<sup>nd</sup> Pole Permit was \$13.75 generating \$44,220.00.

Total anglers for 2017 that purchased an angling license was 313,341. The fee is now increased to \$15.00 but some people were locked into the cheaper rate as they offered some 3 years license fees. 2,776 participated in the pole permit last year, but we can't get an accurate number based on some having paid \$15.00 and some paying \$13.75. Assuming everyone did pay \$15.00 that would generate \$41,640.00. Probably best to go with the 2016 statistic.

### **Iowa:**

The State of Iowa started a 3rd Line Permit in 2013. The first year the permit fees created a revenue of roughly \$76,000. Each year thereafter has been pretty close to that amount with 2017 generating over \$100,000. Iowa has always allowed the use of two lines and this permit was to allow the use of three lines.

### **Kansas:**

The State of Kansas currently sells a 3rd Pole Permit for \$8.50. In 2015 they sold 25,047 permits worth \$212,899. In 2016 they sold 20,773 3rd Line Permits for a total of \$176,570.

### **California:**

In 2017 California had 1,788,384 anglers purchase a license. 282,249 purchased a Second Rod Validation for \$13.50 totaling \$3,812,791.50. 15% of their licensed anglers purchased a 2nd Rod Validation.

### **Fast Forward to Minnesota if we offered a 2<sup>nd</sup> Line Endorsement for \$10:**

Minnesota has 1.4 million anglers. If 10% purchased a 2nd Line Endorsement for \$10 it could generate an annual income of \$1.4 million dollars. That money could do a lot towards maintaining and upgrading our aging DNR equipment and infrastructure.

\*Special Thanks to Catfish Work Group member Nicholas Sebald for doing this research