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Sent: Wednesday, August 10, 2016 10:32
To: Monte Nelson <Monte.Nelson@ci.northfield.mn.us>
Cc: Kanieski, Todd M (DNR) <Todd.Kanieski@state.mn.us>
Subject: RE: Northfield Fishing Questions

This email is to follow-up our phone conversation this morning. I discussed your questions with MAJ Kanieski who is our Operations Manager for the Southeastern portion of the State, our Chief COL Rodmen Smith, and Assistant DNR General Counsel Dave Iverson. DNR does not have an issue with closing the small location of the boardwalk as provided in your email for public safety reasons.

We would, however, have issues with general closures or closing larger areas of the City to fishing, for other reasons or for perceived dangers of fishing. The State's position is that regulation of hunting and fishing and wild animals has been reserved for the State, with the Commissioner of DNR having authority for that regulation.

Our Assistant General Counsel did have a couple of suggestions for the (draft) ordinance. Specifically:

- Sec. 50-28, item (1) there are two places where "...in any area designated as a no fishing zone..." be changed to "...from any area designated as a no fishing zone..." If that change is made, it is more clear that the City is regulating a portion of the boardwalk, and not the River (public waters) itself.
- Sec. 50-28, item (3) suggest deleting "and local ordinances" from this item. You could insert an additional sentence to that section that reads something like, "The possession of bows and arrows for the purposes of bow fishing is subject to City ordinance." That way, if your firearms ordinance changes and restricts bow/arrows, this section changes with it. For your reference, the state law that makes that same statement is MS 97C.376, subd. 2.

I hope that information helps.

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