

**Wisconsin Department of Natural Resources
Natural Resources Board Agenda Item**

SUBJECT: Request approval of Fisheries Management's 2014 spring meeting agenda of advisory questions

FOR: January 2014 Board meeting

TO BE PRESENTED BY: Kate Strom Hiorns, Fisheries Policy Specialist

SUMMARY:

In even numbered years, the Fish and Wildlife Spring Hearings include mostly advisory questions from the Department and the WI Conservation Congress. This agenda item will provide the NRB with the proposed fisheries advisory questions to be included at the April 14, 2014 Spring Hearings. The Fisheries Bureau plans to provide hearing results and public comments to the NRB at its May or June 2014 meeting.

Fisheries Management Bureau advisory questions at the 2014 Fish and Wildlife Spring Hearings include the following subject areas:

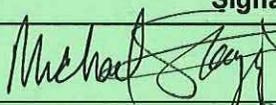
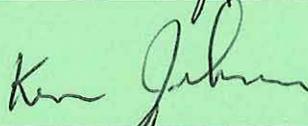
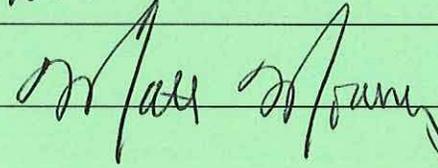
- Catch and release fishing seasons, including sturgeon catch and release seasons on WI-MN boundary waters
- Moving the general season opener date to the Saturday closest to May 1
- Length limit exemptions for bass fishing tournaments
- Increasing the trophy bass regulation minimum length limit to 20 inches
- Preferred regulatory options for improving fish size structure
- Panfish management options
- Seasons and regulation options for trout

In addition, if the Board approves the statement of scope for a proposed trolling rule, Fisheries will include a question on the trolling proposal at the Spring Hearings. They will serve as official public hearings for the trolling rule. A draft question is included in this packet.

RECOMMENDATION: Approve Fisheries 2014 spring meeting advisory questions

LIST OF ATTACHED MATERIALS (check all that are applicable):

- Background memo
- N/A
- N/A

Approved by	Signature	Date
Mike Staggs, Bureau Director		01/03/2014
Ken Johnson, Administrator		1/7/2014
Cathy Stepp, Secretary		01/8/14

DATE: January 3, 2013

TO: All Members of the Natural Resources Board

FROM: Cathy Stepp, Secretary

SUBJECT: Fisheries Management Bureau's 2014 Spring Hearings Questions

In even numbered years, the Fish and Wildlife Spring Hearings include mostly advisory questions from the Department and the WI Conservation Congress. At the April 14, 2014 hearings, the Fisheries Management Bureau wishes to gather input from hearing attendees throughout the State on 26 advisory questions.

In addition, if approved by the Board under a separate green sheet, Fisheries will use the spring hearings to gather public input on a rule proposal to expand trolling opportunities statewide. A 2013 rule (FH-18-12) proposed by the Department originally included a trolling proposal that would have allowed trolling on all inland waters statewide with up to three hooks, baits, or lures per angler. After public hearings, the proposal was amended to allow trolling with one hook, bait, or lure statewide and up to three hooks, baits, or lures in most counties of the State and some individual waters.

The results from the following advisory questions will be considered by the Fisheries Bureau when developing fishing regulation changes. If there is public support and biological data to encourage a rule change, proposals will be made the following year. Additional public input will be sought for the rule changes at the 2015 Spring Hearings.

The Department plans to provide hearing results and public comments on the advisory questions to the NRB at its May or June 2014 meeting.

the 31 waters already open to trolling) and would allow trolling with 3 "lines" per angler in the other 55 counties?

[all of the following questions are ADVISORY only]

Questions X-Y: Catch and Release Fishing Seasons

In June 2013, Governor Walker vetoed a section of the 2013-15 state budget bill that would have established a catch-and-release only season for bass fishing in areas of the state where there is not a continuous open season for bass fishing. To gather additional public input, the Department wants your opinion on replacing existing closed fishing seasons with catch and release seasons for all or most game fish species.

Catch and release season benefits:

- Anglers have additional opportunities to fish year-round, increasing interest in fisheries and expanding tourism and economic development statewide
- It defers harvest of fish until the open season, maintaining good numbers of fish to a time period when they are less vulnerable and more anglers have an opportunity to participate
- Anglers gain expertise in a particular fishery or fishing technique, and may develop an interest in "limiting their kill" instead of "killing their limit"
- Focus on use of bag and length limits to manage fish populations rather than seasons

Catch and release season concerns:

- Potential delayed mortality as a result of stress on the fish or wounding by the hook
- Targeting of vulnerable fish during spawning times when the seasons have typically been closed, although it would be illegal to harvest the fish

Catch and release seasons could replace closed seasons as has been done with the successful current catch and release seasons for trout and bass. Existing year-round open or closed seasons would remain in place. The Department would need to further evaluate for which species catch and release seasons would apply, as well as discuss with Minnesota, Iowa, and Michigan DNRs whether this would affect border waters and Great Lakes waters.

- Would you support creating catch and release seasons for game fish that would replace closed fishing seasons if there are no significant biological impacts?

During catch and release fishing, fish may be more likely to swallow the hook when using live bait. Using artificial lures has been shown to increase the chances of survival when releasing fish. Live bait can be a good fishing tool also, but anglers practicing catch and release fishing should be prepared to use hooks and methods to maximize the likelihood of the hook being lodged in the jaw and thus minimizing damage from gut hooking. "Artificial lure" means a spoon, spinner, jig, plug or other fish bait made of

hair, feathers, cork, wood, rubber, metal, plastic or other synthetic materials, or combinations of these materials.

- If the Department created catch and release seasons for game fish that replaced most closed fishing seasons, would you support requiring only the use of artificial lures during catch and release seasons?

Question X: Sturgeon Catch and Release on MN Boundary Waters

Anglers can currently fish for lake sturgeon with hook and line during open harvest seasons on select WI-MN boundary waters. The State of Minnesota is enacting a regulation opening all waters to catch and release sturgeon fishing year round, except closed seasons would be in place to protect fish during spawning periods and harvest seasons would remain on existing waters. (Closed seasons would vary depending on location, but would either be March 2 to June 15 or April 15 to June 15.) A regulation change in Wisconsin would be necessary to keep regulations consistent on our border waters with Minnesota.

- Would you support a regulation making it legal to catch and release lake sturgeon with hook and line on Wisconsin-Minnesota boundary waters year round, with closed seasons during spawning periods and keeping existing harvest seasons?

Question X: Season Opener and Mother's Day Weekend

In 2011, the Governor's office and some tourism interests asked the Department to explore the possibility of moving the general fishing season opening day to a different weekend in years when the first Saturday in May occurs on Mother's Day weekend, which occurs about once every seven years. The advisory question results at the 2011 spring hearings were 2,958 in favor and 1,569 opposed to changing the opening day of the general fishing season from the first Saturday in May to Saturday April 30 in years when the first Saturday in May falls on Mother's Day weekend.

Rather than changing the general fishing season opening weekend once every seven years, the Department may propose a consistent opening weekend that always avoids Mother's Day weekend. The Department would like input on whether the general fishing season opening weekend should be moved from the first Saturday in May to the Saturday closest to May 1. This would result in the general fishing season opener occurring on either the last Saturday in April or the first Saturday in May every year. The Department does not believe this change will result in any adverse impacts on gamefish populations.

- To avoid the general fishing season opening day from occurring on Mother's Day weekend, would you favor changing the opening day of the general fishing season from the first Saturday in May to the Saturday closest to May 1?

Question X: Temporary length limit exemptions for catch-hold-release bass tournaments

Protected slot limit regulations are length ranges, or slots, that prohibit anglers from keeping fish within a designated size range while allowing fish under and over the slot to be harvested. Protected slot limits tend to be used on waters with an overabundance of bass where increased harvest on small fish can help improve growth rates and increase the size of fish. For example, the Department currently uses a protected slot for bass where bass from 14 inches to 18 inches may not be harvested and only one over 18 inches is allowed.

These types of regulations tend to restrict catch-hold-release fishing tournaments because tournament participants are limited to only transporting fish outside the slot limits, even though fish transported will not be harvested. As a result, fisheries biologists often do not consider proposing protected slot type regulations for waters they manage. The Department is considering offering exemptions from length limits during permitted catch-hold-release bass tournaments where bass protected slot limits are in effect. This would allow tournament participants to temporarily possess bass of sizes within the protected length limits during the tournament.

Under state law, a length limit exemption could only be allowed for bass fishing tournaments that obtain a permit from the DNR. In addition, exemptions would not apply to non-tournament recreational anglers. However, these exemptions would enable biologists to use the optimal bass regulation for managing a waterbody without restricting tournament activity, thus meeting both DNR and tournament goals. If temporary length limit exemptions were allowed for fishing tournament participants, the following permit criteria would apply:

- Exemptions would only be offered on waters with no minimum length limit and a protected slot
 - Fish within the protected slot could **not** be harvested or transported away from the water
 - Any bass dying unintentionally within the protected slot must be donated to a food pantry under the tournament organizer's required written plan for disposition of dead fish
 - The fisheries biologist who reviews a tournament permit application maintains the authority to approve or deny the exemption if unintentional mortality associated with the tournament (from an individual event or cumulatively) would substantially contribute to total annual bass mortality
- To enable fisheries biologists to more broadly use protected slot limit regulations for bass, would you favor allowing permitted catch-hold-release bass tournament participants temporary exemptions from protected slot length limit regulations if the tournament does not harvest any fish and donates any incidental dead fish to a local food pantry?

Question X: Increase the size of the trophy bass regulation from 18" to 20"

The Department is currently reviewing regulations used to manage bass populations in Wisconsin and how they are applied. Currently, the Department manages bass populations for trophy opportunities by using an 18-inch minimum length limit. Anglers and biologists have suggested that anglers' expectations of the size of a trophy bass have increased over time and that some bass fisheries are not meeting these expectations with an 18-inch minimum length. The Department is considering changing the trophy regulation option from 18 inches to 20 inches in an effort to further protect large bass in certain lakes. There are currently 80 lakes that have an 18-inch minimum length limit and this proposal would increase the minimum length limit in those lakes to 20 inches.

- Would you favor increasing the minimum length limit associated with the Department's trophy bass regulation option from 18 inches to 20 inches?

Question X-Y: Preferred regulatory option for improving fish size structure

Fisheries managers use length limits in various ways to focus angler harvest on different sizes of fish in the population. If a fish population is overabundant, the growth of the fish may be stunted. In these situations, if the lake has the habitat capable of supporting good growth, fisheries managers will often utilize regulations that promote harvest of small fish but protect larger fish. The goal is generally to increase the overall or average size of fish in the lake. These types of regulations encourage the harvest of small fish, however, they offer slightly different opportunities and some may be more difficult for anglers to understand:

- Maximum size limits allow harvest under a certain size, but restrict all harvest above that size. This regulation is the most effective way to encourage harvest of small fish because all harvest is limited to under the maximum size. However, anglers lose the opportunity to harvest larger fish.
 - Protected slot size limits allow harvest of small fish under the lower end of the slot, but also allow the harvest of one trophy fish that is larger than the upper end of the slot. Protected slots are effective at encouraging harvest of small fish, but also allow the opportunity to keep a trophy fish. However, in places with a lot of fishing effort the number of large fish removed from the population may be excessive.
 - "1 over" regulations allow the harvest of multiple fish under a certain size as well as 1 fish over the size limit. The 1 over regulation allows the greatest harvest opportunity, however, is the least effective at protecting larger fish and overall size structure.
- The Department is interested in learning the type of regulation you prefer. If the goal for a particular lake is to increase the average size of fish by allowing the harvest of small fish, please indicate whether you would be in favor of each of the following regulations:
- #. Maximum size limit: No fish over the length of X inches are allowed to be harvested.
 - #. Protected slot size limits: There is no minimum length limit but fish from the size range of X inches to Y inches may not be harvested and only one over Y inches is allowed to be harvested.

- #. 1 over: There is no minimum length limit but only 1 fish over the length of X inches is allowed to be harvested.

Questions X-Y: Panfish Management

In recent years, panfish advisory questions ranging from reduced bag limits to separation of species have been submitted by the Conservation Congress. In addition, data from spring lake surveys has shown a significant decline over the last 50 years in both the average and maximum size of panfish in Wisconsin. In response, the Department has been tasked with writing a panfish management plan. Management tools for panfish include season, habitat, bag limit, length limit, and predator management. Current statewide regulations on 94% of lakes are a daily bag limit of 25 panfish with no minimum length limit. About 6% of lakes statewide have a reduced panfish bag limit (generally 10 per day) and a few of those have minimum length limits.

Based on a public survey conducted in early 2013 of almost 3,500 respondents, one-third were satisfied with the size of panfish they caught, one-third were dissatisfied and one-third were neither satisfied nor dissatisfied. Half of the respondents preferred to keep the daily bag limit at 25 panfish, while the other half preferred to decrease the bag limit. Over half the respondents preferred to keep fewer fish that were larger in size. Below are several general questions to help provide more guidance and direction in the next step of management plan development.

Significantly reduced bag limits statewide may increase the average size of panfish in most waters and may spread out the harvest over longer time periods. The lowest bag limits are likely to have the most significant effects.

- Do you think there is a general statewide need to increase the average size of panfish in Wisconsin inland waters?
- Do you think there is a general statewide need to spread out panfish harvest each year in Wisconsin inland waters?
- Do you support keeping the statewide general inland waters panfish combined daily bag limit of 25 fish?
- Would you be in favor of reducing the statewide general inland waters panfish daily bag limit of 25 fish to 15 fish?
- Would you be in favor of reducing the statewide general inland waters panfish daily bag limit of 25 fish to 10 fish?
- Would you be in favor of reducing the statewide general inland waters panfish daily bag limit of 25 fish to 5 fish?

Panfish species have distinctly different life histories, behaviors, and growth patterns. Having separate angling bag limits for bluegill, crappie, and perch may help improve management of these species, but would add a level of complexity to the regulations.

- Would you be supportive of having separate angling bag limits for bluegill, crappie and perch if it can be shown to improve management?

Certain waters across the state have the capability to produce truly large panfish. Special angling regulations would maximize the potential for these waters to produce very high quality size panfish. Because of the variability of panfish populations, it is unclear which regulations will work best in which waters. The Department is considering differentially applying regulations on this subset of waters in a structured manner to determine the most effective regulation. Over time the Department will evaluate these regulations and continually move towards using the most effective ones.

- Would you support high minimum length limits on panfish in specific waters?
- Would you support greatly reduced bag limits for panfish, in specific waters, in order to determine the effects on panfish populations?
- Would you support restricting harvest of game fish in specific waters, to increase populations to levels that would control panfish abundance through predation and maximize panfish growth?
- Would you support habitat improvements or habitat protection, in specific waters, in order to determine the effects on panfish populations?

Questions X-Y: Trout

Statewide trout populations are as abundant as they have ever been and there are many fishing opportunities available for trout anglers. Biologists will continue to monitor trout populations to make sure they remain healthy. The Department would like to know what type of opportunities you support and how you think they should be structured.

The Department enlisted the help of a trout regulations task force made up of stakeholder and partner representatives from around the state, which advised us to respect regional differences when gathering input from anglers on season structure. The questions below will be analyzed on both a statewide and regional basis using results by county.

With present weather patterns, there are some good days to fish for trout in the winter when the season is currently closed. There are also instances where anglers receive citations because they forget about the five-day season closure that occurs between the early catch and release season and the open trout season at the end of April/early May. In addition, some anglers have indicated they would like more opportunities to fish for trout in the fall, after the season closure on September 30. This date was initially chosen partially because many fisheries properties are fishing-only easements and landowners

may want to restrict access after September 30 when they would be hunting deer on their property. With all this in mind:

- Would you favor changing the early catch and release season dates (the first Saturday in March through the Sunday preceding the first Saturday in May), on waters where it currently applies, to January 1 through the Sunday preceding the first Saturday in May if this change will not have any significant impact on trout populations?
- Would you favor applying an early catch and release season to all inland trout streams from January 1 through the Sunday preceding the first Saturday in May if this change will not have any significant impact on trout populations?
- Would you favor eliminating the five-day closure that occurs between the early catch and release season and the open trout season (from the Sunday preceding the first Saturday in May to the first Saturday in May) and continuing the catch and release season during that time if this change will not have any significant impact on trout populations?
- The open trout fishing season currently ends on September 30. To provide more opportunities to fish and harvest trout in the fall, would you favor extending the open trout fishing season to October 15 if this change will not have any significant impact on trout populations?
- The open trout fishing season currently ends on September 30. To provide more opportunities to fish for trout in the fall but not increase harvest, would you favor adding a trout fishing catch and release season from October 1 to October 15 if this change will not have any significant impact on trout populations?

Wisconsin has a number of “put-and-take” lakes and ponds, where trout are stocked in the spring but are not expected to live throughout the winter. Legal-sized trout are typically stocked annually and the majority are usually caught relatively quickly by anglers. These lakes and ponds have various regulations statewide that could be condensed into a uniform season with standard size and bag limits.

- Would you favor development of a uniform trout season (first Saturday in May through first Sunday in March) and regulations that would apply to all “put-and-take” trout lakes and ponds statewide?