

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

SUBJECT: Request approval of Fisheries Management's 2016 spring meeting advisory questions

FOR: January 2016 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. There will be two fisheries advisory questions included at the April 11, 2016, spring meetings:

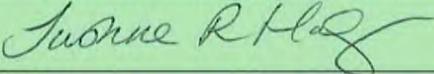
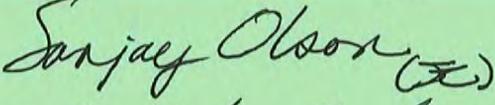
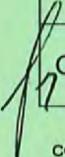
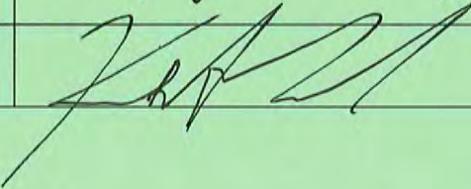
1. Do you favor having a local public notice and input process in place, separate from Spring Hearings, to more quickly change regulations to the most common or "statewide" regulation for a specific fish species on inland lakes?
2. Do you favor having a local public notice and input process in place, separate from Spring Hearings, to more quickly change regulations for specific fish species on inland lakes when they are under certain consumption advisories?

The Fisheries Management Bureau will provide meeting results and public comments to the NRB in May or June 2016.

RECOMMENDATION: Approve the Fisheries Management Bureau's spring meeting advisory questions

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

- Background memo

Approved by	Signature	Date
Justine Hasz, Bureau Director		1-4-16
Sanjay Olson, Division Administrator		1/8/16
 Cathy Stepp, Secretary		1-8-16

cc: Board Liaison – AD/8

DATE: December 21, 2015

TO: All Members of the Natural Resources Board

FROM: Cathy Stepp, Secretary

SUBJECT: Background memo on Fisheries Management Bureau 2016 Advisory Questions

Summary - what is being proposed?

The Fisheries Management Bureau has two advisory questions to present at the statewide Fish and Wildlife Spring Hearings in April 2016. The questions are focused on new methods for making regulation changes. Currently when regulation changes are needed, most have an official public hearing at the Fish and Wildlife Spring Hearings in April of odd numbered years. Proposed regulations take over two years to become effective because of the fixed public hearing date and limits on when regulation changes are reviewed by legislative committees during the rule change process.

If there is public support for the following advisory questions, the Department will develop alternate regulation change processes that will be established in Administrative Code. Similar to options currently in place for temporary regulation changes (in response to slow fish growth or for lake restoration projects under NR 20.35), an alternate regulation change process would involve required public notice, a public hearing, and posting the new regulation at the water. The steps would be fixed in Code to only apply to specific situations and for specific regulation options.

The background and advisory questions to be included in the Spring Hearings questionnaire are:

Shortened Regulation Change Process

Fisheries biologists survey inland lakes and rivers in part to determine if the proper regulation is applied to the waterbody. Often special regulations are put on a lake to cause a change to the fishery. If the change has happened and the population is stable, biologists may want to return the regulation to the most common or "statewide" regulation for a fish species.

Currently the process for changing most recreational fishing regulations takes 2 to 3 years and the proposals all have public input at the statewide Fish and Wildlife Spring Hearings. The Department is considering methods to change regulations on individual lakes using a local public notice and hearing process, instead of the spring hearings, in order to return a regulation to the "statewide" regulation. This would give the Department more flexibility to provide a quicker response to changing conditions.

1. Do you favor having a local public notice and input process in place, separate from Spring Hearings, to more quickly change regulations to the most common or "statewide" regulation for a specific fish species on inland lakes?

Similarly, when fish consumption advisories are updated each year, they may warrant different regulations on some inland lakes. Because fish tend to accumulate more contaminants the longer they live in a contaminated waterbody, it is generally safer to eat younger, smaller fish from those waters. The Department is considering methods to change regulations on individual lakes using a local public notice and hearing process, instead of the spring hearings, in order to change regulations in response to consumption advisories. One option may be to change regulations to allow for "no minimum" size limits on walleye, northern pike, and bass species that have "do not eat" advice for a particular waterbody.

2. Do you favor having a local public notice and input process in place, separate from Spring Hearings, to more quickly change regulations for specific fish species on inland lakes when they are under certain consumption advisories?

Next Steps:

If there is public support for these advisory questions, the Department will develop specific proposals that will be included in the 2017 Spring Hearing rule change package. The public and NRB will have the opportunity at that time to review the specific steps in proposal.