

Wisconsin Department of Natural Resources  
Natural Resources Board Agenda Item

**SUBJECT:**

Information Item: Results of the Bureau of Fisheries Management 2016 spring meeting advisory questions

**FOR: May 2016 Board meeting**

**PRESENTER'S NAME AND TITLE:** 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. At the April 11, 2016 Spring Hearings, the Fisheries Management Bureau presented two advisory questions for public input. Both questions are focused on new methods for making regulation changes using a faster rule change process:

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 waters?

Results: 2,486 Yes (66 counties)                      1,205 No (5 counties)                      Tie in 1 county

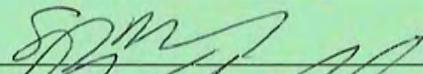
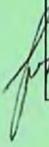
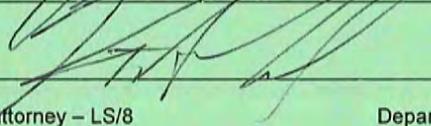
Do you favor having a local public notice and input process in place, separate from Spring Hearings, to more quickly change regulations for specific fish species on inland waters when they are under certain consumption advisories?

Results: 2,633 Yes (69 counties)                      1,050 No (3 counties)

**RECOMMENDATION:** Information only.

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

- background memo
- Fiscal estimate and economic impact analysis (EIA) form
- Response summary
- Attachments to background memo
- Environmental assessment or impact statement
- Board order/rule

Approved by	Signature	Date
Justine Hasz, Bureau Director		4-21-16
Sanjay Olson, Division Administrator		4/25/16
 Cathy Stepp, Secretary		5/4/16

cc: Board Liaison - AD/8

Program attorney - LS/8

Department rule coordinator - LS/8

**CORRESPONDENCE/MEMORANDUM**

DATE: April 18, 2016  
 TO: All Members of the Natural Resources Board  
 FROM: Cathy Stepp, Secretary  
 SUBJECT: Fisheries Management Bureau 2016 Advisory Questions at the Spring Hearings

**Summary -**

The Fisheries Management Bureau presented two advisory questions at the statewide Fish and Wildlife Spring Hearings on April 11, 2016. The questions are focused on new methods for making fishing 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.

Overall, there was statewide public support for the advisory questions. Therefore, the Department will develop an alternate regulation change processes that is similar to options already in place for temporary regulation changes. (NR 20.35) The alternate regulation change process will involve required public notice, a public hearing, and posting the new regulation at the water. The steps would be fixed in Administrative Code to only apply to specific situations and for specific regulation options. The proposals 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.

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.

9. 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 waters?

RESULTS: 2,486 Yes (66 counties)                      1,205 No (5 counties)                      Tie in 1 county

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.

10. 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 waters when they are under certain consumption advisories?      RESULTS: 2,633 Yes (69 counties)                      1,050 No (3 counties)