

## 2020 Spring Hearings Background Information

### Wisconsin Conservation Congress Fisheries-related advisory questions

Note: The DNR's Bureau of Fisheries Management is not asking any advisory questions on the 2020 Spring Hearings questionnaire. The background information below pertains to Wisconsin Conservation Congress questions relating to fish and fisheries management.

#### **DISTRICT LEADERSHIP COUNCIL ADVISORY QUESTIONS**

##### **QUESTION 35: Allowing the spearing of carp during the sturgeon spearing season**

Rough fish spearing of any kind is not currently allowed on the Winnebago System during the sturgeon spearing season due to concern that a sturgeon could be accidentally speared. However, allowing incidental carp spearing by sturgeon spearkers that hold a valid, unfilled sturgeon carcass tag would not biologically impact fish populations and would allow the legal harvest and possession of speared carp.

#### **WARM WATER COMMITTEE ADVISORY QUESTIONS**

##### **QUESTION 36-37: Namekagon River and St. Croix River smallmouth bass and musky minimum size and bag limit (070119, 580119)**

Regarding the smallmouth regulations, the local fisheries biologist wondered if there were adequate data but wasn't opposed to the 18 inch either. We have the 18 and 1 as an option, fisheries biologist would propose collecting more data but also that if it was approved without more data it wouldn't be a problem. He brought up a more important point, the resolution only specifies counties and rivers. There aren't clear boundaries for the regulations. If these proposals are implemented, DNR would need to define clearly recognizable boundaries (e.g. bridge crossings rather than County lines) that approximate the counties proposed, and may consider more biologically based boundaries before implementation (e.g. If deemed biologically appropriate, DNR may consider extending the St. Croix River proposal to waters of Douglas County). The resolution includes Minnesota boundary waters managed under a 14-inch minimum size regulation; coordination/agreement with Minnesota would be necessary for boundary waters before regulations could be changed on those reaches. Above the Hayward dam the Namekagon is trout water in Sawyer County.

There was not Muskellunge Species Team consensus on whether to support or oppose the musky part of the proposal.

##### **QUESTION 38. Reduced daily bag limits for panfish on Big Eau Pleine Reservoir, Marathon County (370519)**

The biologist would support this resolution. There is both a biological and social basis for this resolution.

The data support this rule change. The age composition data on black crappie and yellow perch suggests that few strong year classes are represented within these species' populations, which are

atypical for normal (less exploited) black crappie and yellow perch populations in flowages. Less exploited fish populations tend to have greater year class representation. Additionally, angler reports suggest that the black crappie fishery is short-lived in the winter and less opportunities for catch and harvest are available toward the latter part of the winter.

Reducing the panfish bag limit to 10 bag (in aggregate) should help to limit the fishing mortality and improve yellow perch and black crappie populations. A reduced bag will help to create a more consistent and quality fishery, where greater panfish opportunities could extend throughout the year.

**QUESTION 39: Northern pike limit on Wallace Lake, Washington County (670119)**

Overall, the local biologist likes the idea of the Northern Pike slot limit, especially in her counties which are all urban and have heavy open water and ice fishing pressure. In the future, the local biologist is considering going county-wide with the protected slot limit for Northern Pike; therefore, she has little issues with this proposal. Wallace Lake is primarily a Bass/Panfish lake with Northern Pike mixed in. Due to this composition, we do not survey specifically for Northern Pike during ice off in the spring. The local biologist doesn't have any data suggesting that the 26-inch minimum length isn't effective. However, socially she has had numerous inquiries about "hammer handle" Northern Pike on Wallace Lake. The protected slot would protect spawning females in the lake while allowing harvest of smaller Northern Pike for pickling.

**QUESTION 40: Green Lake panfish bag limit reduction, Washington County (670219)**

The author of this resolution and other members of the lake association met with the local biologist prior to the April [2019] spring hearings to discuss this resolution. Socially, this resolution has a lot of merit. The nearby lakes either have experimental panfish regulations that limit the number of fish per species or have a combined species 10 bag limit. Due to the proximity to the urban areas of West Bend, Milwaukee, and Waukesha, the biologist expects a lot of fishing pressure on the lake both during the open water and ice fishing seasons. Lake residents have complained about increased fishing pressure specifically on Bluegill and Black Crappie during spawning season since the other surrounding lakes went to experimental panfish regulations. Biologically, the majority of the panfish fishery is dominated by Bluegill, but Pumpkinseed, Black Crappie, Green Sunfish, and Yellow Perch are also present. The summer electrofishing survey in 2013 indicated that Bluegill were abundant (462 Bluegill/mile) with an average length of 4.2 inches and a maximum length of 7.5 inches. The summer electrofishing survey in 2019 indicated that Bluegill were common in the lake (220 Bluegill/mile) and the average length was 4.0 inches and a maximum length of 7.4 inches. The number of Bluegill per mile decreased between the two years; however, the size structure was similar with a slight decrease in average size of Bluegill. Biologically, this isn't that alarming to the biologist, but she can see if the trend continues with fewer fish and a continued decrease in average size that overall there may be issues with the Bluegill population in Green Lake. Therefore, the local biologist is in favor of this citizen resolution due to the social impacts and potential for biological issues if the trend of fewer fish and lower size structure continues.

**QUESTION 41: Protection of spawning walleyes in the Wisconsin River from the Scott Street Bridge (Wausau) downstream to Prairie Du Sac Dam (720519)**

For Lake Wisconsin and the river below Wisconsin Dells, the 15-inch minimum with a 20-28 inch protected slot limit already gives excellent protection to the spawning fish and we have seen an

excellent response in the size structure of the population since that rule was implemented. The Lake Wisconsin fish grow very fast and really are vulnerable for only 2 years as they grow through the 15-20 inch range. This means that there is plenty of spawning contribution from the 20-28 inch fish and a harvest opportunity for people during a very popular spring fishery. From fall recruitment surveys we have seen no decline in recruitment, and last year was one of the highest in recent times.

We have an abundant sauger population in the PdS-Kilbourn section that those sections of river further north do not have, and the saugers likely help to deflect some of the harvest pressure that would otherwise be directed solely toward walleyes.

From the stakeholder perspective you would get big pushback from anglers who expect this traditional harvest opportunity and the businesses and guides who see a lot of business during the spring run. And they may argue that this is an unnecessary regulation because the existing slot limit is effective at protecting the bigger spawning fish and improving the size structure of the population.

For the Wisconsin River from primarily Castlerock upstream to Wausau, the most recent survey data on some of our waters indicate that we are meeting most size structure and recruitment objectives of the current regulation (15 inch minimum with a 20-28 inch protected slot limit). That being said, our most recent survey on Petenwell in 2016 indicated that we may have some concerns with high exploitation based off some limited tag return information. In addition, we also see slower growth in our upstream populations which may make them more vulnerable to harvest since it takes them longer to make it through the 15-20 inch harvest slot. Another dynamic is we receive a lot more fishing pressure in our spring tailwater fisheries – especially at Nekoosa, Castlerock, and Dubay. Annual fall recruitment surveys indicate relatively stable recruitment so we don't see any red flags that call for any drastic regulation changes at this time.

This regulation and/or management approach would likely get strong push back from anglers since these are such popular spring fisheries with an expectation for harvest. Any rule change would need careful consideration including more comprehensive survey and/or creel information and a lot of upfront stakeholder input.

**QUESTION 42: Avril, Presque Isle and Van Vleit Chain of Lakes (Vilas County) muskellunge size limit increase (640519)**

The musky team suggests moving this forward if local biologist supports the change and IF it is grouped with Van Vleit Lake as a chain of lakes (Presque Isle and Van Vleit). As a chain, these lakes meet the Musky Team criteria for a 50-inch minimum length limit, consensus was reached.

**QUESTION 43: Removal of largemouth bass size limits on Buckatabon Lakes, Vilas County (640619)**

Local biologist would be in support of the removal of minimum length limit and recommend a 14"-18" protected slot with 1 over 18". The last survey was 2010 and indicated a large proportion of largemouth bass under 14". We will be conducting a survey in Upper and Lower Buckatabon in 2020 so we will be able to get some baseline information to evaluate a potential regulation change.

**QUESTION 44: Panfish bag limit on Big Round Lake, Polk County (490119)**

Big Round Lake is one of the most popular lakes in Polk County for quality-sized panfish, especially bluegills. Big Round Lake bluegills typically face high angler harvest, yet the lake continues to produce

quality bluegills. During the most recent creel survey (2012), it was estimated that anglers harvested 57 bluegills/ac and their average length was 8.3 in. Despite the high fishing pressure, we haven't documented a "drastic reduction" in the size structure of bluegills on Big Round Lake as the original resolution stated; in fact, the CPE [catch per unit effort] of  $\geq 8$ " bluegill increased between the 2012 and 2018 electrofishing surveys. Although the local biologist doesn't consider it an urgent biological issue, he routinely gets contacted by people interested in reduced panfish bag limits on Big Round Lake. This is an opportunity to gauge public opinion. The appropriate option in the regulation toolbox is the 10 panfish (in aggregate) bag limit. A 10 panfish bag limit should help spread out harvest and improve the consistency of the Big Round Lake bluegill fishery. Since the Big Round Lake bluegill population has fast growth rates and high angler harvest, this regulation may also potentially improve bluegill size structure.

**QUESTION 45: Add Forest County to list of counties allowing for 1 line/lure per angler, 3 lines per boat max while motor trolling (210219)**

Trolling was illegal in Forest and Florence counties and then it became legal in these two counties. Currently Forest County can be trolled with 3 lines per angler, and Florence County with 1 line per angler. Prior to trolling becoming legal on all waters the local biologist thought the trolling regulations were appropriate for these counties. Prior to the current regulation, every water over 500 acres in these two counties allowed trolling of 3 lines per person, and every water under 500 acres had no trolling. So when the question was asked to allow trolling on all waters, the question was actually "should trolling be allowed on the small bodies of water in Florence and Forest Counties". The major issue would end up being more of a "spacing issue" on these waters. Meaning that if you allowed 3-line trolling there would be people that would troll with the maximum number of lines allowed and using planer boards, which would take up a lot more space on the smaller lakes, making it at a minimum a social issue for anglers and other recreational lake users. So at the time the preference was for both of the counties to go to 1-line/angler regulations, which would somewhat alleviate the spacing issues on these smaller lakes. A few different lake groups have approached the Forest/Florence biologist with concerns of 3-line trolling in Forest County, with the biggest issue coming from Crane Lake (which is where the author of this resolution is from). On Crane, the Lake District, Mole Lake Chippewa Community, and DNR have partnered in a major walleye rehabilitation project, and their concerns are that walleye are being overexploited via 3-line trolling with planer boards. It is hard to actually evaluate the impact of trolling on most of these waters, because walleye and musky densities are already very low on most of my waters. Data shows that motor trolling is likely not making much of a difference; catch and harvest rates are quite similar for both trollers and other traditional means of fishing. Keeping Forest County's trolling regulation the same as Florence Counties, at 1-line per person, would minimize angler and recreational user conflicts, and it would be more of a cautionary approach to trolling in these two counties which have many smaller lakes with lower density walleye and musky populations. On the other hand, retaining the 3-line regulations is consistent with broader statewide trolling policies. The biologist supports an advisory question to gain public input.

It has been the position of the Musky Team for some time that we have one set of rules regarding trolling Statewide (3 lines per person). This proposal goes against that goal. The Treaty Unit compiled data on trolling, which provides no basis for restricting anglers to less than 3 lines per person.

**QUESTION 46: Allow for underwater spear fishing in Forest County (210319)**

For the most part, underwater spearfishing is legal for panfish and non-game fish in WI, and that was thought to be the regulation for Forest County until 6-8 years ago or so. While going through some of

the legal issues someone realized that when spearing became prohibited in Vilas and Oneida County waters, Forest County was also included. Once that was found out, it became illegal to spear fish in Forest County. In general, underwater spearfishing is quite rare; it really only happens on the clear lakes that have highly desirable panfish populations. The local biologist has not witnessed underwater spear fishing anywhere except Lake Metonga, which has a very abundant and very desirable yellow perch population with extremely clear water. On Metonga it became quite the sport, offering a different type of fishing experience. The Lake Association did not like that people were able to spear fish on Lake Metonga, fearing that fish were being overexploited, and that gamefish (mainly walleye) could be taken illegally. The taking of gamefish was never validated, and that would be an enforcement issue if it were occurring (no different than a hook/line angler violating regulations). Fortunately Metonga, the lake with the controversy, gets regular creel surveys every 3 years. The data from the creel survey showed that underwater spear fishing for yellow perch was not a biological issue (see below). Spear fishing occasionally happened (when legal) on other clear bodies of water in the area, but there was never an issue with it except the issue with Lake Metonga. The data from Lake Metonga shows that underwater spear fishing on Metonga is not more effective than angling, and to me, this is 99.9% a social issue. If the public was in favor of having underwater spear fishing in Forest County the biologist would not object based on the data that he has.

**Table 2. Comparison of creel survey synopses for open water spearing and open water angling for July and August.**

CREEL YEAR: 2010 July and August spearing.

SPECIES	DIRECTED EFFORT (Hours)	TOTAL SPEARED	SPECIFIC CATCH RATE (Hrs/Fish) *	TOTAL HARVEST	SPECIFIC HARVEST RATE (Hrs/Fish) **	MEAN LENGTH OF HARVESTED FISH	LARGEST SPEARED FISH
July	286	175	1.6	165	1.7	9.4	13.7
August	328	845	0.4	833	0.4	9.8	11.9
<b>Total</b>	<b>614</b>	<b>1020</b>		<b>998</b>			

CREEL YEAR: 2010 July & August hook and line combined.

SPECIES	DIRECTED EFFORT (Hours)	TOTAL CATCH	SPECIFIC CATCH RATE (Hrs/Fish)	TOTAL HARVEST	SPECIFIC HARVEST RATE (Hrs/Fish)	MEAN LENGTH OF HARVESTED FISH
Yellow Perch	14109	46965	~0.3	23542	~0.6	~8.3

Comparing the data from these two months there are a few things that stand out to me. Hook and line fisherman are twice as effective at catching perch, and the hook and line harvest rate is the same as the spearing harvest rate. However, the average size of harvested fish via spear was larger than the average size harvested by hook and line. What this data tells me is that spear fishing is not a drastically improved harvest method compared to angling. Yes, the spear fishers are able to select for larger sized fish, these larger fish tend to have a higher percentage of females, but when you look at the big picture (for Metonga) the spearing harvest is just a very small percentage of the perch harvest on the lake (approx. 4% for July and August alone). When you factor in the harvest from hook and line outside of July and August the percentage of harvest by spear fishermen becomes insignificant.

Up here our good perch populations (like Metonga) have perch populations in the area of 100's of fish/acre. So for Metonga it was not a biological problem. I could see this being a much bigger issue on lakes that are not 2,000 acres (like Metonga). Or if this caught on during the spring when species like crappie might be highly exploited.

**QUESTION 47: Change opening date of musky fishing season to the first Saturday of May in the Northern Zone, with the month of May being catch and release only (640319)**

The Musky Team did not reach consensus. However, we would support an advisory question from the WCC.

**GREAT LAKES COMMITTEE ADVISORY QUESTION**

**QUESTION 48: Restore anadromous (lake run) fish passage to the Iron River, Bayfield County (160119)**

We have tried to address this with the management plan and have talked to stakeholders about the timing of any potential decision. Basically it is not a simple removal of the barrier. The change would add 186 miles of tributaries open to Lake Superior. This would also open to invasive species such as VHS and sea lamprey, which likely would preclude us from removing the barrier because of the 2018 Fish Passage Strategic Analysis document. The Great Lakes Fishery Commission, US Fish and Wildlife Service, and others also have strong feelings about the barrier and any modifications so we would have to have discussions with them as well. It would also require information on existing population status and potential changes with other user groups. Not to mention funding for the project and changes to existing funding (become part of the Lake Superior Team instead of the Spooner Team).

- Currently healthy populations of Brook Trout occur in the headwaters of the Iron River and as you move downstream Brown Trout become more abundant.
  - Impacts on these populations would need to be assessed prior to alteration of the barrier
- There is concern about the potential spread of Aquatic Invasive Species with alteration of barrier
  - Particularly VHS, which is currently found only below Orienta Falls Dam
  - USFWS has expressed concerns due to the proximity to the Iron River National Fish Hatchery
- The alteration of the Orienta Falls Dam is an issue that will take time and effort to work with GLFC and USFWS to examine the possibility
- The WDNR recently released the Fish Passage at Dams Strategic Analysis that would be used in any decision-making process
- The initial draft of the Lake Superior Fisheries Management Plan will be released this year for public comment and does have goals and objectives related to fish passage that will also help guide decisions such as this issue.

**MISSISSIPPI RIVER COMMITTEE ADVISORY QUESTION**

**QUESTION 49: Appropriate harvest and protection level(s) for native Buffalo fish**

At last fall's Upper Mississippi River Conservation Committee, buffalo were discussed along with bowfishing tournaments and commercial harvest. Apparently there was an attempt by MNDNR to fund a rough fish study that did not get off the ground. MNDNR did some buffalo work (aging at least). Illinois River Biological Station did SM buffalo work. Last fall UMRCC, there was a discussion about each state monitoring 2 bowfishing tournaments each.

So, in other words, there is some interest. Future state investigations would be best coordinated by the UMRCC [Upper Mississippi River Conservation Committee] since this could be a large project.