

NATURAL RESOURCES BOARD AGENDA ITEM
MODIFIED

SUBJECT: Request approval of Fisheries advisory questions for the 2012 WI Conservation Congress spring meetings/hearings

FOR: JANUARY 2012 BOARD MEETING

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

SUMMARY:

The Fisheries Management Bureau plans to present advisory questions at the April 9, 2012, spring meetings to gauge public opinion. A focus for 2012 will be collecting public input on options to simplify angling regulations as directed by the Governor. The Department proposes to ask questions about types of regulations that have been assumed to be popular with anglers, but have not necessarily been shown to be biologically meaningful. Examples include fish refuges, trolling, and closed seasons. Questions will also address statewide fisheries management topics such as season dates, desire for management zones, access to regulation information, and rough fish spearing. Answers will help us determine some ways to provide better access to information and increase opportunities to fish, as well as provide advice to consider when initiating and developing new fishing regulations.

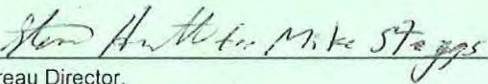
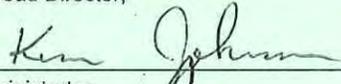
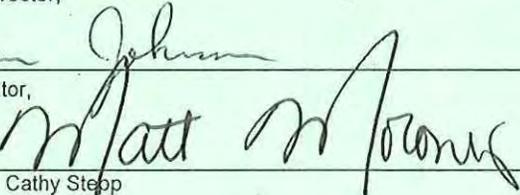
Questions were amended after discussions with the WI Conservation Congress on January 6, 2012. The questions were updated on January 13.

RECOMMENDATION: Approve Fisheries advisory questions for the 2012 WI Conservation Congress spring meetings/hearings

LIST OF ATTACHED MATERIALS:

- | | | | | | |
|----|-------------------------------------|---|-----|-------------------------------------|----------|
| No | <input checked="" type="checkbox"/> | Fiscal Estimate Required | Yes | <input type="checkbox"/> | Attached |
| No | <input checked="" type="checkbox"/> | Environmental Assessment or Impact Statement Required | Yes | <input type="checkbox"/> | Attached |
| No | <input type="checkbox"/> | Background Memo | Yes | <input checked="" type="checkbox"/> | Attached |

APPROVED:

	<u>1/18/12</u>
Bureau Director,	Date
	<u>1/13/12</u>
Administrator,	Date
	<u>1/18/12</u>
Secretary, Cathy Stepp	Date

cc: NRB Liaison
DNR Rules Coordinator

DATE: January 13, 2012

TO: Natural Resources Board

FROM: Cathy Stepp

SUBJECT: Fisheries Management Advisory Questions for the 2012 WI Conservation Congress Spring Meetings

The Department met with the Conservation Congress Executive Council in early September to identify how to implement changes as a result of 2011 Wisconsin Act 21, which affects the timing of administrative rule promulgation. The Department committed to continued participation in annual spring meetings of the WCC and DNR. The April 9, 2012, meeting will look very similar to traditional "spring hearings" and will be held in every county of the state. However, proposed rule changes will only be presented by the Department in odd-numbered years. The Department will instead present advisory questions in 2012.

The Fisheries Management Bureau proposes to ask questions about types of regulations that have been assumed to be popular with anglers, but have not necessarily been shown to be biologically meaningful. Answers will help us determine some ways to provide better access to information and increase opportunities to fish, as well as provide advice to consider when initiating and developing new fishing regulations.

FISHERIES MANAGEMENT ADVISORY QUESTIONS

Fishing regulations are used as a tool to help meet management goals for a species of fish to ensure the resource ensure good fishing exists into the future. Therefore, the Department has used different types of fishing regulations throughout the State in order to:

- control angler impacts on fish populations;
- maintain numbers and size of fish in a lake or stream;
- provide different types of fishing experiences, such as fishing for dinner or for a trophy fish; and
- make access to fishing as fair as possible.

In 2011, the governor's office sent a letter to the Wisconsin Conservation Congress asking for recommendations to reduce hunting, fishing, and trapping regulation complexity. The Department is currently working on a review of fishing regulations and input from the Congress and spring meeting attendants is valuable. Answers to the following questions will help us determine some ways to provide better access to information, increase opportunities to fish, and improve the overall fishing experience.

Questions 1-2 3: Motor Trolling (WCC ~~may will also include trolling with 3 lines on their side of the questionnaire; if not, we can include this on the DNR side~~ a statewide trolling question on their side of the questionnaire – would you support trolling statewide, yes or no)

“Motor trolling” is trailing a lure, bait, or similar device used to attract or catch fish from a boat while being propelled (forwards or backwards) by a motor or a sail or while being towed by a boat being propelled by a motor or sail. Casting and immediate retrieval of a bait or lure while being propelled by a motor or a sail is not motor trolling. Where trolling is allowed, anglers may use up to 3 lines (effectively 3 hooks, baits, or lures).

Currently, rules governing motor trolling differ across the inland waters of Wisconsin, and no substantive biological or sociological justification can be provided for the current situation. In 18 counties throughout the state, motor trolling is specifically allowed on all waters; in 45 counties, one or more specifically named waters are open to motor trolling; and in 9 counties, all waters are specifically closed to motor trolling. Wisconsin is the only state that maintains any statewide or regional restrictions on trolling. Motor trolling has been controversial because trolling may take up more acreage per angler than casting and could result in higher user conflicts among anglers. However, allowing trolling ~~will likely~~ may not result in any change in the level of user conflicts, given the number of other recreational boaters and jet skiers currently using lakes and large rivers. A 2010-11 statewide mail survey of musky anglers found that conflicts with speed boats, jet skis, etc., was the 4th highest ranking problem in musky fishing; and conflicts with other anglers ranked 16th out of 18 identified problems. In addition, if motor trolling were legalized statewide, 91% of musky anglers indicated that they would engage in some amount of trolling. In 1998, the Department proposed a rule change at the spring hearings to allow motor trolling with one hook, bait, or lure in all areas closed to trolling. The result was 1,322 YES to 1,969 NO, with 34 counties in favor and 35 against. Since then, two region-wide proposals have passed to open entire counties to trolling, including several counties in south central and northwest Wisconsin.

- ~~If there was no major biological reason for restricting motor trolling on inland waters of the state, would you support rule changes that would allow motor trolling statewide with the current allowable number of lines (3 maximum)?~~

1. YES _____ NO _____

- ~~If there was no major biological reason for restricting motor trolling on inland waters of the state, would you support rule changes that would allow motor trolling statewide with a reduced number of lines?~~

2. YES _____ NO _____

- Would you support rule changes that would allow motor trolling statewide with the current allowable 3 lines per angler?

1. YES _____ NO _____

- Would you support rule changes that would allow motor trolling statewide with up to 2 lines per angler?

2. YES _____ NO _____

- Would you support rule changes that would allow motor trolling statewide with only 1 line per angler?

3. YES _____ NO _____

Question 3 4: Fishing Seasons

Fishing season closures are generally implemented to protect fish populations from angling during periods of high vulnerability, during spawning times, or when large numbers of fish are congregated in relatively small areas and vulnerable to illegal methods. If populations are overexploited when they are vulnerable, fishing is poor during the rest of the year, there may be poor fishing during the rest of the year and long-term impacts on the fish population. Closed seasons can function to defer harvest, maintaining good densities of adult populations to a time period when they are less vulnerable and more anglers have an opportunity to participate in the fishery. Having a traditional “opening day” may also be a benefit of closed seasons. Anticipation for the opener stimulates interest and enthusiasm of anglers and “opening day” events can result in local economic benefits.

However, season closures are not as effective as bag or length limits to manage a fish population because harvest is often only deferred until the open season. It has also proven difficult to set effective season dates at a state or regional level because spawning dates vary greatly for different species, parts of the state, and from year to year. In addition, data have not recently been analyzed to determine whether catch rates differ for species with year round open seasons at spawning or other times of the year.

- If the Department finds that closed seasons are not biologically necessary to protect certain fish populations, would you support rule changes that would open fishing seasons year round?

3 4. YES _____ NO _____

Question 4 5: Management Zones

Wisconsin fishing regulations are currently applied to waters statewide, by county, by individual waterbody, or by northern and southern management zones. Currently there are northern and southern bass management zones divided by State Trunk Highways 77, 27, and 64 and by State Trunk Highway 29 east of the Fox River. In addition, there are northern and southern muskellunge and northern pike management zones divided by U.S. Highway 10. These zones were put in place because spawning and growing seasons may differ from northern to southern Wisconsin. However, they may not be effective because of variation in spawning and growing seasons within the zones and from year to year. Using a statewide regulation would reduce complexity of regulations.

- If the Department finds that management zones are not biologically necessary to protect or improve certain fish populations, would you prefer removing northern and southern zones and instead using statewide regulations?

4 5. YES _____ NO _____

Questions 5-10 6-11: Access to Regulations

The hook and line fishing regulations booklets for game fish and trout are written to include all the majority of information in one place that an angler would need to know when fishing with hook and line in Wisconsin. Regulation booklets are made available wherever licenses are sold. In addition, regulations can be found at the Department website and by checking signs posted at waters. The Department would like to know more about what sources anglers use to access regulation information. Please indicate all sources you have used to access fishing regulations.

- Do you use the printed regulation booklet to find out what regulations apply?

5 6. YES _____ NO _____

- Do you use online regulations to find out what regulations apply?
6 7. YES _____ NO _____
- Do you use posted signs at the water to find out what regulations apply?
7 8. YES _____ NO _____
- Do you use other anglers to find out what regulations apply?
8 9. YES _____ NO _____
- Do you typically not check what regulations apply?
9 10. YES _____ NO _____
- If one was made available, would you use a DNR Fishing Wisconsin App on a smart phone to find out waterbody and regulation information?
10 11. YES _____ NO _____

Questions 11-15 12-16: Regulation Development

Fisheries management goals may be statewide or regional or designed for specific waterbodies. There may be more than one regulation option to help meet a management goal, and the same regulation on different waters may not have the same result. They can affect anglers and fish populations very differently because of location, the mix of species, habitat condition, and several other factors. Fewer and more uniform regulations throughout the state may be less complex, but may not manage some waters to meet their needs. The following questions will help advise the Department when initiating and developing new fishing regulations. It may also help determine what fishing regulation changes could be made with little to no impact to a fishery, but that may reduce complexity for staff and anglers.

- Is it important to you to have identical bag limits for a fish species on all inland waters, even if it means that some waters are not managed to their greatest potential and the diversity of angling opportunities is decreased?
11 12. YES _____ NO _____
- Is it important to you to have identical seasons for a fish species statewide, even if it means that some waters are not managed to their greatest potential and the diversity of angling opportunities is decreased?
12 13. YES _____ NO _____
- Is it important to you to have identical length limits for a fish species on all inland waters, even if it means that some waters are not managed to their greatest potential?
13 14. YES _____ NO _____

Border waters shared with neighboring states may differ from inland waters because the border waters, such as the Mississippi and Menominee rivers, span many miles and include varying habitats and species. Although attempts are made to keep regulations the same on those waters between neighboring states, they may differ because natural resource departments have preferences for different regulations.

- Is it important to you to have border water regulations that are consistent with inland/statewide regulations?
14 15. YES _____ NO _____

- Is it important to you to have border water regulations that are consistent with neighboring states' border water regulations?

15 16. YES _____ NO _____

Question 16 17: Rough Fish Spearing

Spearing includes the use of spears, bow and arrow, spear guns, and other similar devices to catch fish. Spearing is only allowed sunrise to sunset when there is an open season, except bow and arrow may be used day or night. There are no size or bag limits statewide for spearing rough fish, which are considered undesirable species. Those rules are fairly consistent throughout the state, but spearing season dates vary greatly. Some counties allow spearing year-round in all waters, while others are closed year-round. Some seasons run April through March, and others are open May to November. Spearing may be closed because of harvest concerns for non-rough fish species, but it is already illegal to spear those fish unless there is a designated season, such as the sturgeon spearing season. Spearing season rules were put in place at different times and a statewide review of spearing seasons is currently being conducted.

- Would you support a statewide, year-round open season for rough fish spearing efforts to simplify and, where applicable, make spearing season dates the same?

16. YES _____ NO _____

Questions 17-18 18-19: Fish Refuges

Fish refuges are established to prevent the harvest or disturbance of fish in, on, or along certain waters. Similar to closed seasons, refuges are often created to protect fish populations from angling or illegal harvest methods during periods of high vulnerability where large numbers of fish congregate. Most fish populations are already protected by appropriate bag or size limits. Refuges are usually established to address enforcement concerns, such as snagging spawning fish or anglers catching fish in a closed season and claiming they are fishing for fish that have an open season. Refuges are ~~more easily~~ easy to enforced and can be effective, but do restrict good fishing opportunities. ~~The Department does not publish a list of refuges, instead,~~ All refuges must be posted and anglers must look for signs before fishing. Posting of all refuges requires considerable time and money and can create confusion for anglers.

- If the Department finds that fish populations can be adequately protected by other regulations such as season, bag, or size limits in certain refuge areas, would you prefer removing those fish refuges?

17 18. YES _____ NO _____

- Would you prefer that the Department publish a comprehensive list of refuges instead of posting signs at all refuges?

18 19. YES _____ NO _____

Question 19 20: Lead Tackle

The Natural Resources Board asked the Department in March 2011 to move forward with a pilot project to evaluate angler acceptance of non-toxic fishing tackle. The proposed project would require anglers

fishing Escanaba, Nebish, and Palette lakes in the Northern Highlands Fishing Research Area in Vilas County to use non-lead sinkers, jigs, and weights if they weigh less than 1 ounce or are smaller than 1-inch in any dimension. The purpose of the project is to protect loons and other water birds that have been shown to ingest smaller sizes of tackle and to increase public awareness of the hazard that small sizes of lead-containing tackle pose to water birds.

- Would you support requiring anglers to use non-lead sinkers, weights, jigs, and hooks if they are less than 1-inch length in any dimension and less than 1-ounce in weight on Escanaba, Nebish, and Palette lakes in Vilas County?

19 20. YES _____ NO _____

Questions 20-22 21-23: Fishing Licenses

Wisconsin's fisheries management programs – stocking, habitat restoration and improvement, fish population surveys, access development, and aquatic education – are all primarily funded by revenues from fishing license sales. To make sure these costs are fairly distributed to all users, resident and nonresident anglers over the age of 16 need some kind of fishing license. Wisconsin is unusual among other states in that it offers a great number of license types: annual, senior, junior, disabled, armed forces, 1-day, 2-day, 4-day, 15-day, husband and wife, family, trout and salmon stamps, sturgeon tags, and hunting combinations. Some people think having many options better serves anglers needs, some people think the large number of choices is overly confusing.

- Would you prefer that Wisconsin simplify its fishing license structure by eliminating less popular license types?

20 21. YES _____ NO _____

- Would you prefer that Wisconsin eliminate separate stamps and tags, and instead roll those costs into the annual or short term license options?

21 22. YES _____ NO _____

As in most states, fishing license options differ for Wisconsin residents and nonresidents. Nonresidents have more short term license options, but are charged significantly higher fees than residents for comparable licenses. A resident annual fishing license, for example, is \$20 while the comparable nonresident annual license is \$50. Although higher license fees for nonresidents are a long standing tradition, the reason why this is done is unclear. Fisheries management programs receive very little additional revenue from resident taxes, such as income taxes, and higher license fees likely discourage nonresidents from buying fishing licenses. In addition, we spend considerable resources verifying residency and issuing separate licenses. A simplified alternative may be to have general license types for all anglers, regardless of residence, that are set at an intermediate price that maintains current revenue levels.

- Should Wisconsin simplify its fishing license structure by issuing the same types of licenses to anglers regardless of their residency?

22 23. YES _____ NO _____