

Report to
Legislative Council Rules Clearinghouse
NR 25, Wis. Adm. Code
Natural Resources Board Order No. FH-10-12

Wisconsin Statutory Authority

Section 29.014 (1), Stats., directs the department to establish and maintain conditions governing the taking of fish that will conserve the fish supply and ensure the citizens of this state continued opportunities for good fishing.

Section 29.041, Stats., provides that the department may regulate fishing on and in all interstate boundary waters and outlying waters.

Section 29.519 (1m)(b), Stats., provides that the department, after giving due consideration to the recommendations made by the commercial fishing boards, may establish species harvest limits and promulgate rules to establish formulas for the allocation of the species harvest limits among commercial fishing licensees or for the allotment of individual licensee catch quotas.

Federal Authority

N/A

Comparison of Adjacent States

There is currently no chub harvest in Indiana or Illinois waters of Lake Michigan. In Michigan waters there are modest state-licensed and tribal harvests, with participation too small to require harvest limits. Over 80% of the lake-wide chub harvest occurs in Wisconsin waters.

Court Decisions Directly Relevant

N/A

Analysis of the Rule - Rule Effect - Reason for the Rule

The proposed rule establishes a system for the automatic adjustment of the total allowable commercial harvest of bloater chubs (*Coregonus hoyi*) from Lake Michigan. The harvest limit would become a simple function of population estimates provided by the Great Lakes Science Center of the US Geological Survey (USGS), and may change annually. The proposed rule also removes outdated and ambiguous procedures for allocating the harvest among commercial fishers and replaces them with a percentage allocation. The proposed rule also eliminates outdated restrictions on the timing of chub harvest in the northern chub harvest zone.

The decline in bloater chub abundance in Lake Michigan has been confirmed by population surveys and commercial harvests. The value of the fishery has declined in response to the low populations and catches. Rule changes are necessary in order to ensure a sustainable chub fishery over the long-term. The Lake Michigan Commercial Fishing Board was consulted during development of this rule and is in support of the rule changes.

Adjustments in harvest limits affect the livelihoods of commercial fishers and associated businesses, but such adjustments are a necessary part of fisheries management. Because this rule will cause those adjustments to be more timely and responsive to fish population changes it will support stability in fish populations and in the fishery.

Agency Procedures for Promulgation

Public hearings in July 2015, then rule approvals by the Natural Resources Board, Governor's office, and legislative review committees

Description of any Forms (attach copies if available)

N/A

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