

Clearinghouse Rule 13-111

Report to
Legislative Council Rules Clearinghouse
NR 25, Wis. Adm. Code
Natural Resources Board Order No. FH-26-12

Wisconsin Statutory Authority

Sections 29.014(1), 29.041, 29.519(1m)(b), Stats.

Federal Authority – N/A

Comparison of Adjacent States

Of the four adjacent states, only Minnesota and Michigan have lake trout fisheries on the Great Lakes. The commercial harvest of lake trout from Minnesota waters of Lake Superior is limited to a population assessment fishery. In Michigan waters of Lake Superior there is no state-licensed commercial fishery, but tribal harvest is guided by the same modeling approach as in Wisconsin.

Court Decisions Directly Relevant - N/A

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

The rule is necessary to implement lake trout harvest limits. It reduces the annual commercial fishing harvest limit for lake trout on Lake Superior and places reduced bag limits on recreational fishing if the recreational lake trout harvest exceeds specified limits.

Lake trout harvest limits were negotiated in October 2013 among the department and the Red Cliff and Bad River Bands of Lake Superior Chippewa and those changes must be ordered through administrative code. The rule elements are a result of regular negotiations stipulated in the State-Tribal Lake Superior Agreement.

The allowable lake trout harvests are reviewed by a state-tribal biological committee using the latest available data and modeling results. Based on those results and recommendations from the biological committee, the Agreement is re-negotiated as needed to change the total annual harvest of lake trout by all fishers, and possibly to address other issues related to shared harvest of lake trout and other species by state and tribal fishers.

There has been a steady decline in lean lake trout abundance in Lake Superior since the early 2000s. This decline has been confirmed by independent surveys conducted by the department and has been projected by models used to set safe harvest levels. Some level of decline was expected due to high harvest limits in the early 2000s, which were in response to several large year classes (numbers of fish spawned in the same year) predicted to enter the fishery. However, these year classes were not as large as predicted. This combination of increased harvest and lower than predicted population size has caused lake trout abundance to decline. While relatively stable abundances of spawning lake trout suggest that this decline is still reversible, action needs to be taken to arrest the lean lake trout population's decline. The decline in lake trout population abundances and predicted further declines necessitate the harvest reductions in order to ensure a sustainable lake trout fishery over the long-term.

Agency Procedures for Promulgation

One public hearing planned in Bayfield on 1/15/13; Natural Resources Board final adoption; Governor's Office of Regulatory Compliance final approval; followed by legislative review

Description of any Forms - N/A

Name and Telephone Number of Agency Contacts

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