

ADMINISTRATIVE RULES

Fiscal Estimate & Economic Impact Analysis

habitats at all.

This rule will also implement fish refuges covering several walleye spawning marshes adjacent to the Wolf River. These fish refuges will protect walleye as they move into the marshes to spawn during the spring spawning period and when the eggs and young fish are developing. Protection of these marshes has been a high priority for some time since other fishing activities in the marshes can interrupt spawning and reduce survival of the eggs and young fish during the spring spawning season. If this rule is not implemented, the disturbance to spawning and young walleye will likely increase due to fishing pressure in the spring when walleye are more concentrated and other fish are moving as well.

This rule will also provide flexibility to the department to establish temporary fish refuges in light of an emerging condition that causes fish to congregate and become vulnerable to harvest, such as a construction project or habitat project.

16. Long Range Implications of Implementing the Rule

The long-range implications are expected to be similar to the short-range implications in that the fish refuges will protect fish as they move to their spawning waters or recover from changing conditions in the waterbody. The ability of fish to move into their spawning habitats to reproduce and seek areas in which they can rest and replenish the waterbody will help sustain these fisheries into the future.

17. Compare With Approaches Being Used by Federal Government

No federal regulations apply. States possess inherent authority to manage the fishery and wildlife resources within their boundaries, except insofar as preempted by federal treaties and laws, including regulations established in the Federal Register.

18. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

Fisheries management rules are generally similar in the states surrounding Wisconsin. Specific regulations may differ for species among the surrounding states, but the general principles are similar. Michigan and Minnesota also utilize fish refuges or fish sanctuaries to protect fish in sensitive areas.

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ATTACHMENT A

1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

2. Summary of the data sources used to measure the Rule's impact on Small Businesses

3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- Less Stringent Compliance or Reporting Requirements
- Less Stringent Schedules or Deadlines for Compliance or Reporting
- Consolidation or Simplification of Reporting Requirements
- Establishment of performance standards in lieu of Design or Operational Standards
- Exemption of Small Businesses from some or all requirements
- Other, describe:

4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

5. Describe the Rule's Enforcement Provisions

6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

Yes No
