

Notice of Hearing

The Department of Natural Resources announces that it will hold a public hearing on an emergency rule FH-01-18(E) to revise ch. NR 25, relating to harvest management regulations in the Lake Superior fishery, at the time and place shown below.

Hearing Information

Date: April 3, 2019

Time: 6 p.m.

Location: WITC – Ashland Campus, 2100 Beaser Ave, Ashland, WI, 54806

Rule Information:

In December 2018, the Department signed an agreement with the Bad River and Red Cliff Bands of the Lake Superior Chippewa tribes pertaining to fish harvest allocation and harvest management of the shared Lake Superior fishery. This rule implements portions of the 2018 – 2028 Lake Superior Fishing Agreement by updating the total allowable commercial harvest for lake trout, revising the requirements for using and marking nets and other gear, modifying certain areas in which commercial fishing is allowed and making minor revisions to harvest reporting requirements and the timeframe for returning unused trout tags. These updates aim to maintain healthy target and non-target fish populations while serving the needs of state and tribal commercial fishers, tribal home use fishers and state recreational anglers.

Emergency rule FH-01-18(E) is effective as of March 18, 2019, and the Department will begin developing the permanent rule over the next several months. An emergency rule hearing within 45 days following the effective date is required by s. 227.24 (4), Stats.

Accessibility (Choose either version)

1. Hearing impaired persons may request an interpreter for this hearing. Please make reservations for a hearing interpreter at least 10 days before the date of the scheduled hearing, by writing to e-mail Meredith.Penthorn@wisconsin.gov.
2. Alternatively, you may contact the Department of Natural Resources TDD at (608) 267-6897. The hearing facility is accessible to disabled users.
3. Pursuant to the Americans with Disabilities Act, reasonable accommodations, including the provision of information material in an alternative format, will be provided for qualified individuals with disabilities upon request. Please call with specific information on your request at least 10 days before the date of the scheduled hearing.
4. Handicap access is available at the hearing location.

Appearances at the Hearing and Submittal of Written Comments

The public has the opportunity to testify at the hearing. Registration will take place at the hearing by completing a Hearing Appearance form, which will be provided. Comments on the proposed rule must be received on or before April 3, 2019. The Hearing Appearance form also

can be used for submitting a written comment at the hearing. Written comments may be submitted by U.S. mail, fax, E-mail, or through the internet and will have the same weight and effect as oral statements presented at the public hearing. Written comments and any questions on the proposed rules should be submitted to:

Department of Natural Resources
Attn: Meredith Penthorn
P.O. Box 7921
101 S. Webster Street,
Madison, WI 53707-7921

The rule may be viewed at: <https://dnr.wi.gov/news/input/ProposedPermanent.html>

Comments can be made at: DNRAAdministrativeRulesComments@wisconsin.gov

Initial Regulatory Flexibility Analysis:

Certain new requirements that aim to standardize regulations between state and tribal commercial fishers apply to the placement and marking of nets in waters of Lake Superior. This may require some adjustments in gear use by state commercial fishers, but costs are expected to be minimal, if any.

The rule does not allow for the potential to establish a reduced fine for small businesses, nor does it establish “alternative enforcement mechanisms” for “minor violations” of administrative rules made by small businesses. Public utility rate payers and local governmental units will not be affected by the rule.

Agency Small Business Regulatory Coordinator:

Linda Haddix (608) 266-1959

Linda.Haddix@wisconsin.gov

Dated at Madison, Wisconsin _____

STATE OF WISCONSIN

DEPARTMENT OF NATURAL RESOURCES

By _____

Preston D. Cole, Secretary

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