

ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis

Original Updated Corrected

2. Administrative Rule Chapter, Title and Number

NR 25, Commercial Fishing - Outlying Waters

3. Subject

Implementing a web-based Electronic Fish Reporting System (EFRS) for licensed commercial fishers of the Great Lakes

4. Fund Sources Affected

GPR FED PRO PRS SEG SEG-S

5. Chapter 20, Stats. Appropriations Affected

6. Fiscal Effect of Implementing the Rule

No Fiscal Effect Increase Existing Revenues Increase Costs
 Indeterminate Decrease Existing Revenues Could Absorb Within Agency's Budget
 Decrease Cost

7. The Rule Will Impact the Following (Check All That Apply)

State's Economy Specific Businesses/Sectors
 Local Government Units Public Utility Rate Payers
 Small Businesses (if checked, complete Attachment A)

8. Would Implementation and Compliance Costs Be Greater Than \$20 million?

Yes No

9. Policy Problem Addressed by the Rule

The current s. NR 25.13(5), Wis. Adm. Code, directs commercial fishers to use a discontinued, obsolete EFRS and is not applicable to the next generation EFRS under development. The revised rules will create the necessary procedures and allow the commercial fishers to use the new reporting system for recording and reporting all elements of their commercial catch.

10. Summary of the businesses, business sectors, associations representing business, local governmental units, and individuals that may be affected by the proposed rule that were contacted for comments.

The rule would affect licensed commercial fishers on Lake Michigan/Green Bay (65 licenses) and Lake Superior (10 licenses). The Department contacted the Lake Michigan and Lake Superior Commercial Fishing Boards, the WI Fisheries Advisory Council, the WI Conservation Congress, and similar organizations for comments on the potential economic impact of this rule. No comments were received during the open comment period July 20 to August 3, 2015.

11. Identify the local governmental units that participated in the development of this EIA.

No local governmental units requested to be involved in the preparation of this EIA.

12. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)

No economic impact is anticipated as a result of this rule change. If a commercial fisher does not own or have ready access to an internet-connected computer, they will be allowed to continue reporting via the existing biweekly paper reporting system. The proposal will update rule language on how commercial fishing electronic harvest reports may be made. No harvest quota or fishing effort changes will be included in the rule.

13. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

Multiple commercial fishers have indicated that they would prefer a web-based reporting system that would allow them to utilize computers and internet connections for filing fishing reports. A federal grant has been obtained through the U.S. Fish and Wildlife Service to develop the new web-based EFRS that will allow Great Lakes commercial fishers to electronically submit their daily fishing activity reports directly to the department via computers - and eventually smart phones - utilizing high-speed internet carriers.

ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

The proposed rule would implement commercial fishing reporting procedures for a web-based electronic fish reporting system that utilizes current technology and meets recommendations requested by the commercial fishing industry in the June 2000 Commercial Fisheries Task Force report.

The alternative is to repeal s. NR 25.13(5), Stats., and continue to only use the inefficient biweekly paper reporting system of ss. NR 25.13(2) and (3), Wis. Adm. Code.

14. Long Range Implications of Implementing the Rule

This rule allows for an easier reporting system for commercial fishers who choose to use it. It will encourage better compliance with reporting requirements that feed into proper management of commercial and sport fish populations in the Great Lakes.

15. Compare With Approaches Being Used by Federal Government

The department is not aware of any existing or proposed federal regulation that would govern commercial fishing in Wisconsin's waters.

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

Illinois has no active commercial fishing licenses on the Great Lakes; thus there are no Great Lakes reporting requirements at the current time.

Michigan commercial fishers are required to file a monthly report with the Michigan Department of Natural Resources documenting their daily fishing activity and data is similar to that required of Wisconsin Great Lakes commercial fishers. Michigan rules are similar to those proposed for Wisconsin. Michigan commercial fishes have the option of either electronically filing the report by completing and submitting a web-based form or reporting by means of a monthly paper report.

Similar to Wisconsin and Michigan, the Minnesota licensed Great Lakes commercial fishers file a monthly paper report documenting daily fishing activity. Minnesota does not have an electronic reporting system available for use by commercial fishers.

17. Contact Name

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18. Contact Phone Number

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ADMINISTRATIVE RULES
Fiscal Estimate & Economic Impact Analysis

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)

The rule would affect licensed commercial fishers on Lake Michigan/Green Bay (65 licenses) and Lake Superior (10 licenses). No economic impact is anticipated as a result of this rule change. The proposal will update rule language on how commercial fishing electronic harvest reports may be made. No harvest quota or fishing effort changes will be included in the rule.

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

Not applicable

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

If a commercial fisher does not own or have ready access to an internet-connected computer, he or she will be allowed to continue reporting via the existing biweekly paper reporting system.

5. Describe the Rule's Enforcement Provisions

The rule will be enforced by Department Conservation Wardens under the authority of Ch. 29, Stats., through routine patrols, record audits of wholesale fish dealers and commercial fishers, and follow up investigations of citizen complaints.

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

- Yes No
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