

Clearinghouse Rule 06-105

Report to
Legislative Council Rules Clearinghouse
NR 22, Wis. Adm. Code
Natural Resources Board Order No. FH-32-06

Wisconsin Statutory Authority

ss. 29.014(1), 29.041 and 227.11(2)(a), Stats., interpreting ss. 29.014(1), 29.041 and 29.516, Stats.

Federal Authority

N/A

Court Decisions Directly Relevant

None

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

Commercial fishing for shovelnose sturgeon has increased in popularity throughout the Mississippi River basin in response to a burgeoning market for sturgeon roe. In response to increased harvest pressure, the Iowa and Illinois Departments of Natural Resources began reviewing commercial fishing regulations in their shared portion of the Mississippi River. The Wisconsin Department of Natural Resources was subsequently invited to review commercial fishing regulations for Wisconsin-Iowa boundary waters. Population modeling suggests that more stringent regulations are necessary to preserve the long-term viability of shovelnose sturgeon stocks in the Mississippi River and to continue to provide commercial fishing opportunities. There are currently fewer than 5 commercial fishermen licensed in Wisconsin who primarily target shovelnose sturgeon.

The proposed rule would increase the minimum allowable size at harvest from 25 inches total length to 27 inches fork length and impose a 32-inch maximum fork length limit, creating a 27 to 32 inch (fork length) harvest slot for commercially caught shovelnose (hackleback) sturgeon in Wisconsin-Iowa boundary waters. Fork length is defined as that distance as measured from the tip of the snout of a fish to the posterior tips of the median caudal fin rays, as opposed to total length, which is that distance between the tip of the snout of a fish to the outermost end of the caudal fin, fully extended.

The rule also proposes to prohibit the removal of roe from commercial fish while on the water, bank or shore and prohibits cleaning or processing of fish until the fish reach the final processing facility or place of business of the commercial fisher.

Agency Procedures for Promulgation

Public hearings, Natural Resources Board final adoption, followed by legislative review.

Description of any Forms (attach copies if available)

None

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