

Report From Agency

REPORT TO LEGISLATURE

NR 20.40, Wis. Adm. Code
Regulation of fishing tournaments in inland, outlying and boundary
waters of Wisconsin

Board Order No. FH-22-06
Clearinghouse Rule No. 06-108

Basis and Purpose of the Proposed Rule

Increased participation in fishing tournaments in Wisconsin has led to growing concerns about tournament impacts on fish and on other anglers and boaters. In 2004 and 2005 approximately 20,000 anglers competed in fishing tournaments with prize values in excess of \$2 million each year. This rule exercises authority granted the Department in Wisconsin 2003 Act 249 to promulgate rules to establish a program to authorize and regulate fishing tournaments.

The proposed rule revisions were developed with substantial input from the fishing tournament advisory committee (FTAC), established in July 2004 by the Department as required by 2003 Wisconsin Act 249, as well as from comments provided during the public comment period and during public hearings. The Department concurrently established an internal fishing tournament working group (WG) that provided substantial input into these rule revisions. The Department is authorized in 29.403, Stats., to promulgate rules for authorizing and regulating fishing tournaments. This rule proposal includes definitions of various types of tournaments, rules regulating the number and size of tournaments on different sizes of waterbodies, permit conditions, and permit fees.

The FTAC consists of fishing tournament organizers, members of the Conservation Congress, members of sport fishing organizations, and users of the lakes and streams of this state. The WG consists of department fisheries, watershed, law enforcement, and legal services staff. The FTAC has met twelve times between August 2004 and June 2007, six of those with the Department's WG. The groups focused on the specific authorities as provided in 2003 Wisconsin Act 249 in developing revised tournament rules.

SUMMARY OF THE RULE

APPLICABILITY – An Applicability section was added to NR 20.40, Wis. Adm. Code.

DEFINITIONS

- Create a new definition of aquatic invasive species for s. NR 20.40, Wis. Adm. Code - "Aquatic invasive species" means non-indigenous water or wetland-dwelling organisms or their hybrids whose introduction into aquatic ecosystems causes or is likely to cause adverse economic, recreational or environmental impacts or harm to human health. – Currently found in s. NR 198, Wis. Adm. Code - Aquatic Invasive Species Control Grants.
- Create a new definition of aquatic invasive species for s. NR 20.40, Wis. Adm. Code - "Aquatic plant" means a submergent, emergent, or floating-leaf plant or any part thereof. "Aquatic plant" does not mean wild rice. – Currently found in s. 30.715, Stats - Placement of boats, trailers, and equipment in navigable waters.
- Amend the definition of a "Fishing tournament" to make it more general/broad – "Fishing tournament" means any organized fishing activity, on any water of the state where competition is the primary intent, and where prizes or incentives are awarded.

- Create new definitions for NR 20.40, Wis. Adm. Code, which refer to specific types of tournament formats, processes and regulatory categories: “Immediate-release tournament”, “Catch-hold-release tournament”, “Live well”, “Off-site weigh-in”, “Open water fishing”, “Permitted fishing tournament”, “Permitted fishing tournament boat days”, “Possess” or “Possession”, “Prizes” “Traditional fishing tournament”, “Weigh-in”
- Change the term “Sponsor” to “Organizer” but maintained the definition currently found in NR 20.40, Wis. Adm. Code.

PERMIT REQUIRED

- Establish new tournament permit requirements (If any of the following are true).
 - Require a permit for all tournaments consisting of 20 or more boats or 100 or more participants on lakes, rivers, Great Lakes, and WI-MN and WI-IA boundary waters.
 - Require a permit for all tournaments that target trout on classified trout streams.
 - Require a permit for all “catch-hold-release” tournaments with an off-site weigh-in.
 - Require a permit for all tournaments with prizes of \$10,000 or more.

NO PERMIT REQUIRED

- Exempt the permit requirements for tournaments with fewer than 20 boats (open water) or 100 participants (ice or shore fishing), if they are not targeting trout on classified trout streams, if they do not include an off-site weigh-in, and if prizes are less than \$10,000.
- Tournaments that are regional or statewide in nature do not require a permit.

FISHING TOURNAMENT PERMIT FEES

- The Department estimates that the cost of the fishing tournament permit program will be approximately \$33,000 annually for permit application review and approval, fishing tournament catch report review, and fishing tournament database entry. The previous estimate of \$76,000 included costs associated with law enforcement and data collection. Upon review of public comment and those provided by the FTAC, these two costs have been removed from current cost estimates.

FISHING TOURNAMENT PERMIT APPLICATION

- The permit application will specify an individual responsible for supervising the tournament.
- The non-refundable permit application fee will be \$25 when the format of the tournament is “immediate release”, has prizes less than \$500 or targets salmon on Lake Michigan, Green Bay, or Lake Superior.
- The non-refundable permit application fee will be \$100 when the format is “catch-hold-release” or “catch and kill” and where total prizes provided to tournament participants is between \$500 and \$9,999.
- The non-refundable permit application fee will be \$200 when the format is “catch-hold-release” or “catch and kill” and where total prizes provided to tournament participants is \$10,000 or greater.
- There will be no fee for fishing tournaments where all participants are under 18 years of age or are physically or developmentally disabled.
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FEE SPENDING AUTHORITY

The statutory language created in 2003 Wisconsin Act 249 did not provide the department with additional earmark fee authority. Thus fees collected will be deposited into the segregated fish and wildlife account. The department will request authorization to spend it on tournament costs in the department’s biennial budget requests.

PERMIT APPLICATION PROCESS

- Establish a permit application process:
 - Department begins accepting permits April 1 for the following calendar year.
 - Applications received April 1 – the June 30 are subject to a lottery drawing if monthly limits are exceeded. The department must notify the applicant that the event is subject to drawing and allows the applicant 7 days to change date or location.

- Traditional fishing tournaments are not included in the drawing unless they are competing with other traditional fishing tournaments for limited fishing tournament permits for a body of water (i.e. “grand-fathered”).
- Applicants are notified by **August 1** of approval or denial of permit (based on lottery drawing results).
- Applications received after **June 30** will be approved in a first come first served fashion. Approved permits are issued if limits are not exceeded, but must be received at least 30 days prior to event.
- Requires organizers to notify local units of government within which the access site or tournament headquarters is located of their approval to conduct a tournament, including the date, time, and size of the event.

COMPLIANCE

- Minor changes were made to the compliance section to aid in clarifying what may constitute a violation of fishing tournament regulations:
 - Require all participants to comply with all permit conditions.
 - Require organizer to expel a participant that fails to comply.
 - Require organizer to provide a copy of the permit and tournament rules to all participants.
 - Provide inspection authority to Conservation Wardens.

LIMITS ON SIZE AND NUMBER OF FISHING TOURNAMENTS

- Establish a maximum size (number of boats per day) an open-water fishing tournament can be based on lake size categories.
- Establish monthly maximums for fishing tournaments.

LAKE OR LAKE CHAIN SIZE (ACRES)	MAXIMUM DAILY NUMBER OF BOATS ALLOWED FOR OPEN WATER FISHING TOURNAMENTS	MAXIMUM MONTHLY NUMBER OF PERMITTED FISHING TOURNAMENT BOAT DAYS	MAXIMUM DAILY NUMBER OF PARTICIPANTS ALLOWED FOR PERMITTED ICE FISHING TOURNAMENTS	MAXIMUM DAILY NUMBER OF CONCURRENT PERMITTED FISHING TOURNAMENTS
1. Less than 100	0	0	50	1 (ice fishing only)
2. 100 – 449	25	50	150	1
2. 450 – 999	50	300	500	1
3. 1,000 – 4,999	125	1,125	1,000	2
4. 5,000 – 9,999	150	2,400	1,500	2
5. Larger than 10,000	Determined by actual acreage (1 boat/50 acres)	3,000	No Limit	No Limit

- Maximum number of boats allowed daily is calculated as the (top-end of category acreage) divided by (number of acres per boat)*75%. Number of acres per boat are defined in NR1.91(4)(b) as follows: 5000+ acres = 1 boat/50 acres, 1000-4999 acres = 1 boat/30 acres, 450-999 acres = 1 boat/25 acres, and 100-449 acres = 1 boat/15 acres.
- Maximum number of days and maximum number of tournaments were arbitrarily selected for use in calculations.

- Establish a maximum number of concurrent permitted fishing tournaments (open water and ice fishing) that can take place based on lake size categories (<1,000 acres - one; 1,000 – 10,000 – two; >10,000 - no limit).
- Provide the department with the ability to permit tournaments on lakes smaller than 100 acres if it determines the event will promote public awareness of fishing and the state's resources and conforms to best management practices for the lake; or is a traditional fishing tournament.
- Specify how tournament maximums will apply to lake chains. Permitted fishing tournaments may engage in fishing activities in lake chains or connected lakes but the organizer must select lake where the primary fishing activity or weigh-in will take place.
- Establish for boundary water lakes, the limits related to the number of permitted fishing tournaments shall be determined based on the Wisconsin acreage.
- Establish monthly maximum number of tournaments on rivers. Mississippi River maximums are the same as those used by MN. The Fox, Wolf, and Wisconsin River maximums are the same as the St. Croix (WI-MN) based on their similarity.
- Establish a limit for permitted fishing tournaments on the Mississippi River of no more than three pools.
- Establish specific boundary for fishing tournaments on Lake St. Croix (HWY 10 bridge at Prescott upstream to the Acola Bar).
- Establish monthly limits for other rivers (2 per month per segment).

ADDITIONAL FISHING TOURNAMENT PERMITS

- Establish a procedure by which additional tournament permits may be issued above monthly maximums for waters larger than 1,000 acres.
- Establish a procedure by which one additional permit per waterbody per year can be issued up to 3 years in advance if the organizer can demonstrate the need for this additional advance notice and can demonstrate a substantial economic benefit to the local community as a result of the tournament.

DISPOSITION OF DEAD FISH

- Require permit applicants to provide and execute a plan for disposition of dead fish that result from the fishing tournament for a period of 48 hours.

GENERAL PROVISIONS AND PERMIT CONDITIONS

- No person may organize fishing tournaments on the same waterbody with starting dates separated by less than 2 weeks.
- Establish general authority for the department to deny permits to protect fisheries resources.
- Prohibit permitted fishing tournaments during the opening weekend of a fishing season of a particular species if the fishing tournament targets that species, the three-day Memorial Day weekend, Fourth of July, and three-day Labor Day weekend. Allow an exemption for traditional fishing tournaments.
- Allow the department to require tournament organizers to make alternative parking arrangements to ensure reasonable public access to the water where a permitted fishing tournament is being conducted and provide the plan to the department upon request.
- Require consistent and obvious marking of tournament boats.
- Establish criteria to be followed by tournament participants in order for an event to be considered an "immediate-release tournament". The criteria specify what type of fish handling can be conducted on the water without constituting possession.
- Establish restriction for "catch-hold-release" tournaments.
 - No catch-hold-release tournaments for muskellunge, northern pike, sturgeon, or trout with an off-site weigh-in.
- Establish standards for fish holding equipment and fish handling procedures for "catch-hold-release" tournaments.
 - Boats must have working live wells.
 - If utilized, on-shore holding tanks used to hold fish during the weigh-in process must have the capacity sufficient to hold at least 1 gallon of water per pound of fish held.
 - The holding tanks on shore are equipped with aeration or oxygenation systems that maintain the dissolved oxygen at 5 ppm or higher.

- Allow the department to specify other fish holding and handling conditions.
- Require approval of an off-site weigh-in.
- Establish authority for the department to require a reduced daily bag limit for walleye and bass when water temperatures are likely to be high enough in some waters to increase delayed mortality.
- Provide authority to write conditions to prevent waste of the resource when environmental conditions warrant, including:
 - Department may restrict area fished, distance traveled by anglers, or time that fish are held in live wells.
 - Department may require redistribution of fish after weigh-in.

USE OF TAGGED FISH

- Provide a process for allowing the use of tagged fish.
 - To enhance collection of data for management purposes as part of a scientific study, or
 - The tagged fish are legally obtained from a licensed private fish hatchery and are planted under a stocking or introduction permit issued by the Department under s. 29.736, Stats., and s. NR 19.05, Wis. Adm. Code.

REGULATION OF AIS

- Specify that all participants must comply with current laws regarding aquatic plants and AIS, found in s. 30.715, Stats, and all rules promulgated under that section. Aquatic invasive species are defined in ch. NR 198, Wis. Adm. Code as non-indigenous water or wetland-dwelling organisms or their hybrids whose introduction into aquatic ecosystems causes or is likely to cause adverse economic, recreational or environmental impacts or harm to human health.
- Require that prior to the tournament, fishing tournament organizers inform all tournament participants of procedures recommended by the Department to clean and decontaminate boats and equipment of aquatic vegetation and invasive species.
- Provide Department authority to write other conditions to prevent the spread of AIS.

Summary of Public Comments

The regulation of fishing tournaments in Wisconsin is a controversial and in many cases, polarizing issue. There was relatively strong opposition to the previously proposed rules from both the FTAC and the public who submitted oral and written comments during the public comment period and during public hearings. Upon receiving direction from the NRB in April 2007, reviewing public comments, and considering input from the FTAC, the Department has made several key changes to the proposed rules. In addition, four County Board resolutions in opposition to the previously proposed rules were received by the Department after the public comment period was closed. It is unlikely that all stakeholders will be satisfied with the currently proposed rules; however, it is the opinion of the Department that the proposed rules represent a reasonable compromise between those who wish fishing tournaments to be heavily regulated and those who wish them to be completely unregulated.

General Summary of Public Comments

A total of 731 individuals, groups, or organizations provided one or more comments in one or more forms (e.g. hearing testimony, written comments, email comments, et al.). A total of 1,863 individual comments were logged.

Input Types. - There were 480 individuals, groups, or organizations that registered at one or more of the public hearings and 174 provided testimony at one or more hearings. A total of 244 individuals, groups, or organizations submitted one or more comments via email; 50 individuals, groups, or organizations sent one or more comments via US mail; and 54 individuals, groups, or organizations sent form letters.

Rule Categories. – Six rule categories were created based on different components of the rule proposal. The categories are shown in the table below. For the purpose of summarizing general position on the proposed rules, the numbers reflected in the table refer to the number of individuals, groups, or

organizations that commented and not the number of comments. One individual, group, or organization may have made multiple comments (in different forms/types) on the same rule category.

	For	Opposed	Unspecified	Total
<u>General Position on Rules</u>				
Number	74	528	101	703
Percent	11%	75%	14%	
<u>Permit Application Process</u>				
Number	21	40	8	69
Percent	30%	58%	12%	
<u>Tournament Permit Fees</u>				
Number	43	189	6	238
Percent	18%	79%	3%	
<u>Limits on Tournament #s</u>				
Number	28	90	3	121
Percent	23%	74%	2%	
<u>July-August Live Release Ban</u>				
Number	41	220	13	274
Percent	15%	80%	5%	
<u>AIS Plan Requirement</u>				
Number	29	70	21	120
Percent	24%	58%	18%	

Modifications Made

The current rule proposal includes a timeline that is earlier than originally proposed (open time period April 1st – June 30th as opposed to August 1st-September 30th) to allow larger tournament organizations more lead time. In addition, the availability of one additional permit per year per waterbody up to 3 years in advance will aid in this regard.

The Department recognizes that some fishing tournaments differ in their purpose. In attempt to address this, the Department proposes that a fee of \$25 be charged for “charity-type” tournaments in which proceeds are not returned to the participants.

There is no distinction between open water and ice fishing tournaments in the currently proposed rules related to permit fees.

Although the consensus of the FTAC was that a participant fee should be created to the exclusion of fees to tournament organizers, the Department does not feel that it has the authority to charge fees to tournament participants. Upon review by Department legal staff and the Clearinghouse report, the Department agrees that it does not appear to have the authority to charge a surcharge to the participants. As such, the current rules do not include a charge to tournament participants.

Prior to approval at the January 23rd, 2008 Natural Resources Board (NRB) meeting, the NRB made four amendments to the proposed rules related to tournament fishing. The first changed the effective date for all components of the rule to January 1st, 2009. The second allowed one fishing tournament permit per water per year to be issued up to three years in advance if the organizer can demonstrate 1) the need for the extended advance notice, and 2) that there will be a substantial economic benefit to the local economy resulting from the tournament. The third amendment removed the \$2/angler surcharge for bass tournaments to recover the costs associated with the bass fishing tournament pilot program. The final amendment removed the required bag limit reduction for bass and walleye tournaments during specified warmer water periods, and replaced it with the authority to add these requirements as permit conditions at

time of permit issuance provided the environmental conditions which would trigger the bag limit reductions are also specified.

Appearances at the Public Hearing

See attached Appearance List

Changes to Rule Analysis and Fiscal Estimate

The rule analysis was amended to reflect the changes made to the rule. The fiscal estimate was reduced from a State cost of \$76,000 to a State cost of \$36,500. The basis for this change is detailed in the attached public comments summary section on permit fees.

Response to Legislative Council Rules Clearinghouse Report

The Department has changed or clarified all of the portions of the rule based on the Clearinghouse Report with the following exceptions:

1. Clearinghouse Report Comment: The rule proposes a fishing tournament participant fee of \$10 in s. NR 20.40 (5) (d). The statute grants express authority for the department, in s. 29.403 (3) (p), Stats., to promulgate rules specifying fees for fishing tournament permits, and for training or educational programs, including reduced fees in appropriate circumstances. The statute contains no other provision regarding fees. The question regarding statutory authority is whether the department has authority to adopt a participant fee, as in s. NR 20.40 (5) (d). On one hand, the department has arguably broad authority under s. 29.403 (1), Stats., to “promulgate rules to establish a program to authorize and regulate fishing tournaments,” which could include participant fees. On the other hand, s. 29.403 (3), Stats., commences with an introductory paragraph that states “the rules promulgated by the department under sub. (1) may include any of the following:”, followed by a list of specific terms. The use of “may” and “include” in the statute suggests that the rule may also include other provisions than those in the list. However, the list is unusually lengthy and specific, and does not include a provision for participant fees. It may be argued that the lengthy list of authorized rule provisions is evidence of legislative intent that the Legislature did not intend to authorize the department to require fees for participants, as well as for the fishing tournaments. The department should review its statutory authority carefully to determine whether the statute authorizes a fishing tournament participant fee.

Department Response: In response to concerns from the Clearinghouse report and from Department staff, the participant fee portion of the rule has been deleted.

2. Clearinghouse Report Comment: It is difficult to know what an applicant is required to do with dead fish. That statute is fairly vague. Is it possible to provide more specific guidance regarding the disposition of dead fish?

Department Response: The most appropriate or acceptable means of disposing fish will likely vary greatly depending on the location, time of year, time of day etc. Therefore, the Department feels that staff issuing fishing tournament permits and the tournament organizers should be given latitude in this regard.

3. Clearinghouse Report Comment: In section (10) (g) 7, the rule give the Department the authority to include permit conditions regarding fish handling requirements for live-release tournaments, and in section (10) (g) 8, the rule specifies permit conditions for live-release tournaments. Should these provisions be combined?

Department Response: The Department feels that these provisions should remain separate. The intent was for the first provision to relate to handling requirements of fish during a weigh-in and the second provision to relate to handling requirements of fish during the operation of the tournament. However, additional text has been added to clarify this distinction.

4. Clearinghouse Report Comment: The penalty provision in s. NR 20.40 (15) requires the department to deny a permit application for two years after the department determines that a person has failed to comply with a fishing tournament permit or the rules related to tournament fishing. This provision does not contain any information on when and how the department must make this determination in order for the penalty to apply.

Department Response: Sec. 29.403(5), Stats., is clear in what may result in the revocation or suspension of tournament privileges and that the Department may not issue a tournament permit to a person who violates tournament requirements for a period of 2 years from the date of the permit denial or revocation. Consequently, the Department feels that a rule is not needed at this time to interpret the statutory penalty section.

Final Regulatory Flexibility Analysis

Small businesses likely to be impacted by this rule include tournament organizers and businesses that cater to tournament anglers and spectators. Tournament organizers will be affected by the imposition of tournament permit fees and will potentially be impacted by the imposition of the limits on the amount of tournament activity that can take place on a particular waterbody. However, the rules do not prevent any tournament organizer from holding a tournament particularly if the organizer is flexible with regard to location and date of the tournament. Local communities and businesses may be affected if tournament activity either increases or decreases as a result of these rules. Tournament activity generates local economic activity and can range from tens of thousands of dollars to approximately one million dollars depending on the type of tournament (see the Economic component of the Bass Fishing Tournament Pilot program summary for specific details). The amount of tournament activity in Wisconsin may increase as a result of these rules if they are viewed as more favorable than those of surrounding states. Conversely, the amount of tournament activity may decrease if the rules are viewed as overly restrictive. The Department has no data to answer the question of whether these rules will act to increase or decrease tournament activity and it is therefore difficult to predict the overall economic impact of these regulations although the impact may be of notable magnitude.

General summary of the Fishing Tournament Advisory Committee (FTAC) meeting (20 June 2007) meeting

The rule proposals that went to public hearing resulted in part from input gathered at previous FTAC meetings. There was no consensus of the FTAC on many items but their input was valuable in producing the previously proposed rules. The FTAC met again on June 20th 2007 at the DNR South Central Regional headquarters in Madison to obtain the group's input in response to two specific questions as advised by the NRB in April 2007. The following FTAC members were in attendance: Andrew Fayram (WDNR), Dan Brovarney (Wisconsin Bass Federation Nation), Steven Hjort (Wisconsin State Bass Federation), Tami Jackson (Wisconsin Association of Lakes), Bob Miller (Wisconsin Wildlife Federation), Steve Poll (World Walleye Association), Chuck Rolfsmeyer (National BASS Federation), Bob Selk (Trout Unlimited), Brett Stapelmann (Wisconsin Bowfishing Association), Steve Winters (Wisconsin Smallmouth Alliance), and Warren Zaren (CAST). The following members were absent: John Aschenbrenner, Craig Bender, Roger Dreher, Joel Everts, Michelle Kilburn, Ted Lind, Steve Lindahl, Jim Schommer, and Ken Snow. Although past membership of FTAC in some cases included more than one representative from a particular group, in the interest of efficiency, only one representative from each group was allowed to provide direct input as a formal committee member. The facilitators, Dennis Schenborn (WDNR) and Sue Acre (WDNR), took the group through a process which involved setting some ground rules as a team; gathering information on solutions to the two issues (questions) brought forth by the Natural Resources Board through discussion and round robin participation; and then voting on the suggested solutions coming to a consensus on which issue(s) the FTAC members favored. The two questions were: 1) What alternatives to the "July-August live release format ban" address the increased mortality of fish due to stress at higher water temperatures? and 2) What are the alternatives for how the tournament organizers and participants can raise \$94,000/year to fund the Program? The input gathered at this meeting is presented below in the appropriate sections. Note: the previous estimate of \$94,000 included law enforcement costs and data collection costs and was structured to recover the cost of the Bass Fishing Tournament Pilot Program in five years. The current estimate of approximately \$48,000 does not include law enforcement or data collection costs and recovers the cost of the Bass Fishing Tournament Pilot Program in six years.

General summary of County Board Resolutions

Four very similar County Board Resolutions were received by the Department. In general, the resolutions express the desire for the Department to refrain from charging fees for or adding additional restrictions to fishing tournament participants or organizers. More detailed information related to the County Board Resolutions can be found in the Resolutions themselves and in the appropriate category below.

Permit Application Process – FH-22-06 initially proposed a permit application process by which the department would accept applications for permits from August 1 - September 30 each year. Applications received during that period that result in limits on the number of tournaments on a waterbody being exceeded would be subjected to a lottery for the date and location. Prior to the lottery drawing, organizers would be informed and offered an opportunity to modify their application to a date or location where limits have not been reached.

DNR Position: The Department believes that a permit should be required for all fishing tournaments of reasonable size (e.g. >19 boats) in order to collect representative data and effectively manage fisheries affected by fishing tournaments. In order to accommodate the logistical constraints of larger tournament organizers, the Department has moved the open period when applications will be accepted from August 1st-September 30th to April 1st-June 30th. In addition, the Department has the authority to allow one permit per waterbody per year up to 3 years in advance of the tournament if the tournament can demonstrate the need of the advance issuance and can demonstrate a substantial economic benefit to the local community resulting from the tournament.

Public Comment

Major Themes:

1. Trout and salmon tournaments (Great Lakes) should be exempt from the process entirely.

DNR response: The Department does not feel that tournaments held on the Great Lakes should be exempt from the permitting process. Anglers participating in tournaments in the Great Lakes fish for a number of different species. It is the opinion of the Department that adequate data collection related to tournament fishing is necessary to sufficiently manage all of the Great Lakes fisheries.

2. The proposed timeline does not allow larger tournament organizations enough lead time to schedule tournaments; so it would discourage larger organizations from coming to WI.

DNR response: The current rule proposal includes a timeline that is earlier than originally proposed (open time period April 1st – June 30th as opposed to August 1st-September 30th) to allow larger tournament organizations more lead time. In addition, the availability of one additional permit per year per waterbody up to 3 years in advance will aid in this regard.

3. The size of a tournament requiring a permit should be less inclusive; reserved only for larger tournaments.

DNR response: A relatively large number of tournaments including 20-50 boats and 100 participants are held annually and the Department feels that it is important to require permits for these smaller tournaments in order to be able to assess the cumulative impact of tournaments in Wisconsin.

Suggested Alternatives from the Public:

1. Do not require permits for trout and salmon tournaments held on the Great Lakes.
2. The deadline for applications, the date the department conducts the lottery, and the date when the department notifies the organizer should be made earlier.
3. Weeknight club tournaments and open tournaments should not be exempt from permitting; tournaments with one fish bag limits (bass/walleye) should be exempt; Oversight via permitting should be required for tournaments with >50 boats.

Other Permit Application Process Comments:

1. All fishing tournament applications should be treated equally, including "Traditional fishing tournaments".

DNR response: Traditional fishing tournaments are essentially treated equally to other fishing tournaments under the proposed rules with the exception of not being subject to lotteries when waterbody limitations are reached.

2. Tournament permits should be required for all catch and release tournaments.

DNR response: Under the proposed rules, all "catch-hold-release" format tournaments with an off-site weigh in are required to have a permit.

3. Tournament boats should be marked with a sticker or a flag so they are identifiable.

DNR response: The DNR believes that tournament participants should be identifiable as stated in the proposed rules.

4. Permits should specify that tournament organizers and participants are responsible for knowing and adhering to all local ordinances.

DNR response: The proposed rules require that areas where competitive fishing is prohibited be identified including areas designated by local ordinance for aquatic vegetation preservation. The Department feels that it is implied that tournament organizers and participants should be aware of and adhere to all local ordinances.

5. Specific objectives (measurable standards) should be established for modifying or revoking permits.

DNR response: The Department believes that the guidelines set forth in the proposed rules are sufficient. However, some discretion to the local fisheries biologist is necessary since conditions associated with waterbodies and fishing tournaments vary widely across the state.

Permit Fees – FH-22-06 initially proposed fishing tournament permit fees to cover the cost of executing a tournament program estimated to cost \$76,000 annually, which includes permit application review and approval, catch report review, database entry, law enforcement, and data collection. In addition, fees would recover \$90,000 of the cost of the bass fishing tournament pilot program at \$18,000 for five years. Thus proposed permit fees would collect \$94,000 per year. Public input was sought on two alternatives. The first alternative would charge tournament organizers permit application fees ranging from \$200 to \$850 based on the size of the tournament. The second alternative would collect fishing tournament permit application fees from organizers and annual fishing tournament participant permits from open-water tournament participants. Permit application fees for organizers would range from \$50 to \$475 based on tournament size and \$10 for each participant permit.

In general the subject of proposed permit fees generated controversy and the second highest number of specific comments, with the vast majority of those comments being in opposition to the fees as proposed. The small percentage of those in favor of the fees as proposed in FH-22-06 agreed that the entire program cost should be borne by tournaments and not general anglers. Many of those in opposition to the fees as proposed were not opposed to paying nominal fees to cover administrative costs of issuing permits, but they felt the proposed fees were too high. Some in opposition felt that there should be no additional fees for tournaments.

The June 2007 FTAC meeting resulted in the members agreeing that a \$10/participant charge was an acceptable alternative to the proposed fees to the organizers.

DNR position: The Department believes that fees associated with fishing tournaments should recover the costs of permit application review, maintaining the tournament fishing database, and report preparation and review. The time spent accomplishing these duties has increased as tournament fishing has increased in popularity and diminishes the ability of DNR fisheries staff to accomplish other activities. The estimated total annual cost of these administrative activities is \$32,796. The Department also feels that the cost of administering the program should be supported by the tournament organizers. The Department proposes a fee structure for the organizers that includes a relatively low fee for tournaments likely to have a small impact on the fisheries resources of Wisconsin or are non-profit in nature. The term “non-profit” is difficult to define with regard to this classification of tournament organizers. The Department therefore proposes the following fee structure: \$25/permit for tournaments with total prize money (or value of other prizes) less than \$500, that target salmon and/or trout on Lake Superior, Lake Michigan, or Green Bay, or are run with the “immediate release” format. Other tournaments, including catch and kill format, catch-hold-release format, and tournaments where the total prize money is greater than \$500 but less than \$10,000 or if results are used to determine standings or rankings for prizes valued \$500 or more provided at a later date, would be \$100/permit. Similarly, if the tournament is catch and kill format, catch-hold-release format, and has total prize money \$10,000 or more or rankings for prizes valued \$10,000 or more provided at a later date, would be \$200/permit. The Department believes that a \$25 fee will not negatively impact small and charity fishing tournament events. The estimated annual revenue generated from these fees is outlined below based on mean values from 2004 and 2005 and the estimated 400 tournaments that are likely to require a permit.

141 limited prize or charity tournaments * \$25 = \$3,525
217 other tournaments with \$500-\$9,999 prizes * \$100 = \$21,700
42 other tournaments with \$10,000 prizes * \$200 = \$8,400

Public comment

Major Themes:

1. The proposed fees are unreasonably high.

DNR response: The Department has attempted to equitably distribute the costs of administering the fishing tournament program. The proposed fees are necessary to cover the costs of administering the fishing tournament program.

2. Proposed fishing tournament permit fees are too high for tournaments held as fund raisers for charities, for fishing/sports clubs, or for conservation projects. Any fees charged would take away funds from the money raised for the charity, club, and/or project.

DNR response: The Department recognizes that some fishing tournaments differ in their purpose. In attempt to address this, the Department proposes that a fee of \$25 be charged for "charity-type" tournaments in which proceeds are not returned to the participants.

3. Proposed fishing tournament permit fees are based on a permit program that is unreasonable; it is unfair to propose recovering the substantial estimated cost of law enforcement directly on to tournaments; data collection at fishing tournaments should be viewed as an opportunity rather than an expense.

DNR response: Because fishing tournaments result in conditions that differ from conditions created by general anglers (such as relatively intense fishing activity in a short period of time etc), their existence creates additional work for Department staff. The Department does not think that participants in fishing tournaments are any more likely to violate fishing regulations than other anglers and has not included the cost of law enforcement in the current rule. Under some conditions, data collected at fishing tournaments can enhance the ability of fisheries managers to effectively manage fish populations by providing additional data about particular fish populations and this will be determined as necessary by Department staff. However, since the collection of data from fishing tournaments by Department fisheries technicians will only be done when it is deemed necessary by the Department, the cost of this portion of the program is considered part of the normal duties of the Department and has not been included in the cost estimate to administer the program.

4. Permit application fees should be refundable.

DNR response: The Department disagrees because the Department seeks to cover the costs of the fishing tournament program and keep the fees to organizers as low as possible. By treating the fees as refundable, the Department would incur additional administrative costs. In addition, non-refundable fees reduce the likelihood that tournament organizers will apply for a number of different permits in the hopes of increasing the odds of successfully obtaining a single permit for a single tournament if waterbody limits are reached. In the event that waterbody limits are reached, tournament organizers will be given the opportunity to change the date and/or location of their tournament to avoid a lottery situation.

5. The estimated cost of the permit program appears to be the absolute minimum required to administer the rule with little left for enforcement or research.

DNR response: The Department seeks to cover the cost of administering the fishing tournament program and agrees that the proposed fee structure is the minimum required to do so.

Suggested Alternatives:

1. Tournament fees should be charged to organizers in the amount of \$1-3 per participant.
2. Tournament fees should be calculated as a portion of the tournament payout.
3. A participant permit of \$10-15 is acceptable if it permits culling.
4. No permit fees for tournaments with 25 boats or less.
5. \$25 permit fee for tournaments with payout less than \$500.
6. Tournaments with no registration fee for participants should not pay permit fees.
7. Establish a \$10 participant fee allowing culling, charge \$100 for a small tournament and \$200 for a large tournament. Utilize \$25,000 from fish and wildlife dollars.
8. Eliminate all permit fees for charity tournaments.

9. Create a separate lower fee structure for non-profit organizations conducting tournaments.
10. No fees should be charged for tournament permits if 20% or more of the proceeds go toward charity.
11. Create a distinction between for-profit and non-profit tournaments.
12. Tournament permit fees should only be to pay for administrative costs associated with issuing tournament permit.
13. Law enforcement costs and costs of collecting data at tournaments should be paid for with general fish and wildlife funds.
14. Establish fees to recover only \$33,000 annually.

Other Permit Fee Comments:

- Participant permits should only be required for licensed anglers (i.e. not required for youth participants).

DNR response: Under the currently proposed rules, no permit is required for fishing tournaments that include only participants who are under the age of 18. In addition, the currently proposed rules do not include a participant permit.

- WDNR needs to do a small business analysis.

DNR response: The Department has made an effort to outline the potential benefits of fishing tournaments to local economies (see Fishing Tournament Pilot Program summary). See small business analysis below.

- General license dollars should be used for management of fishing tournaments as tournament anglers contribute to that fund by purchase of licenses and fishing gear.

DNR response: Fishing tournaments create an additional work load for DNR staff. The Natural Resources Board has stated that the costs of administering the fishing tournament program should be recovered from those who are involved with fishing tournaments. In addition, some portions of the costs of the program (i.e. law enforcement and data collection) will be covered using funds that are currently available to the Department.

- There should be equal treatment of open water and ice fishing tournaments with respect to permit fees.

DNR response: The Department agrees. There is no distinction between open water and ice fishing tournaments in the currently proposed rules related to permit fees.

- Creation of participant fees does not appear to be authorized in 2003 Wisconsin Act 249; only fees to organizers.

DNR response: Although the consensus of the FTAC was that a participant fee should be created to the exclusion of fees to tournament organizers, the Department does not feel that it has the authority to charge fees to tournament participants. Upon review by Department legal staff and the Clearinghouse report, the Department agrees that it does not appear to have the authority to charge a surcharge to the participants. As such, the current rules do not include a charge to tournament participants.

- Fees that recover the costs associated with the bass fishing tournament pilot program should sunset in 5 years.

DNR response: The current proposed rules do not include fees to recover the costs of the bass fishing tournament pilot program.

FTAC opinion (June 2007 meeting)

What are the alternatives for how the tournament organizers and participants can raise \$94,000/year to fund the Program?

1. The consensus of the FTAC was to charge licensed tournament participants a fee of \$10 per year as an added “stamp” or privilege above the cost of their fishing license.

The consensus view also expressed that:

- Tournament organizers should not pay a fee, only the participants.

DNR response: Although the consensus of the FTAC was that a participant fee should be created to the exclusion of fees to tournament organizers, the Department does not feel that it has the authority to charge fees to tournament participants. Upon review by Department legal staff and the Clearinghouse report, the Department agrees that it does not appear to have the authority to charge a surcharge to the participants. As such, the current rules do not include a charge to tournament participants.

- Participants in tournaments organized by non-profit organizations should pay the same. Representatives expressed that distinguishing non-profit from for-profit was troublesome and they believe that this “loop-hole” would allow for-profit promoters to re-structure things to appear as non-profit.

DNR response: The Department recognizes the desire to charge true charity-type tournaments a lower fee. There is some difficulty however, in adequately defining a “non-profit” organization to achieve this intent. The lower fee (\$25) charged to tournaments that only give small prizes (less than \$500) to the tournament participants reflects the intent to allow charitable tournaments to persist. The Department believes that this fee will not affect the ability of these tournaments to continue to operate.

- There should be **no** exemption for either ice fishing or Great Lakes tournaments.

DNR response: The Department agrees. The current rule proposals do not exempt ice fishing or Great Lakes tournaments from permit fees.

Other individual thoughts included:

- Give credit to the organizations that (are sponsoring tournaments) give so much back to the resource in donations (to improve fish habitat, promote conservation, education efforts, etc.).

DNR response: The Department recognizes and appreciates the efforts of organizations and individuals associated with fishing tournaments in working with the Department to develop these proposed rules and for the help of several organizations with the Bass Fishing Tournament Pilot Program.

- Data collection should be a DNR cost. No Law Enforcement is required. DNR’s report should be DNR’s cost. Use a simple spreadsheet to get data from tournaments.

DNR response: Because fishing tournaments result in conditions that differ from conditions created by general anglers (such as relatively intense fishing activity in a short period of time), their existence creates additional work for Department fisheries staff. However, the Department has not included the cost of law enforcement or data collection in the current rule.

- \$10 as a cost per participant if culling was part of the rule.

DNR response: 2003 Wisconsin Act 249 states that the Department “may not, under the program established under sub. (1), allow a participant in a fishing tournament to engage in any activity in which the department would not allow an angler who is not a participant to engage at the same

time on the same body of water.” Culling is not currently allowed in the state of Wisconsin. Therefore, the Department does not have the authority to allow culling for tournament participants.

- Base the fee charged per angler on the expected number of licensed participants in permitted tournaments [and set it high enough] to reach \$94,000.

DNR response: Unfortunately, the Department feels that it does not have the authority to charge a fee to tournament participants, therefore the cost to administer the program falls to the organizers.

- Should be calculated on a user-based fee which DNR determines. Season long, for tournaments with < 20 boats on a given water and day should have one charge (to the club or tournament sponsor). Would also be comfortable with a fee also paid by the sponsors.

DNR response: The Department feels that the currently proposed fee structure is equitable and is likely to fully fund the administration of the program.

- Non-profits may merit reduced fee structure, but there are concerns regarding the definition of “non-profit” and the possibility that all tournaments may then morph into “non-profit” organizations.

DNR response: The Department recognizes the desire to charge true charity-type tournaments a lower fee. There is some difficulty however, in adequately defining a “non-profit” organization to achieve this intent. The lower fee (\$25) charged to tournaments that only give small prizes (less than \$500) to the tournament participants reflects the intent to allow charitable tournaments to persist. The Department believes that this fee is low enough so as to not dramatically affect the ability of these tournaments to continue to operate.

2. “I support the idea of a fee to recover DNR costs for” (number in brackets represents the number of participants who agreed that these aspects of administering the fishing tournament program of a possible total voting of 10 FTAC members):

- **[8]** tournament application review
- **[6]** costs associated with maintaining a database of tournament information
- **[4]** report preparation and review
- **[4]** law enforcements costs
- **[3]** data collection at tournaments

DNR response: The Department expects to fully recover costs related to the administration of the fishing tournament program which it feels are represented by the first three components listed above. The Department agrees with the prioritization of duties outlined above and has dropped the two lowest for inclusion in overall cost estimates.

County Board Resolutions

1. Costs associated with the tournament program are part of the normal scope and duties of the DNR and therefore should be supported with currently existing funds.

DNR response: The Department believes that the regulation and oversight of fishing tournament activity creates an additional workload for some Department staff and as such additional funds are necessary to administer the program.

2. Charging fees to the organizers of and participants in fishing tournaments could be construed as a tax on a specific segment of the fishing community.

DNR response: 2003 Wisconsin Act 249 gives the Department authority to charge fees related to fishing tournaments in order to recover costs of administering the fishing tournament program from those associated with fishing tournaments. The Natural Resources Board has indicated that those fees should be recovered from those associated with fishing tournaments.

3. Additional law enforcement related to fishing tournaments is unnecessary due to the diligence of tournament organizers in ensuring compliance with existing regulations.

DNR response: The DNR does not think that participants in fishing tournaments are any more likely to violate fishing regulations than other anglers, The costs of law enforcement have not been included in the estimated cost to administer this program.

4. Restrictions and fees associated with fishing tournaments will negatively impact local communities and businesses.

DNR response: The Department recognizes the fact that fishing tournaments have an impact on local communities and businesses and has made an effort to outline the potential benefits of fishing tournaments to local economies (see Fishing Tournament Pilot Program summary). However, we have no data to suggest that the proposed rules will positively or negatively affect the number or locations of fishing tournaments in Wisconsin.

Limits – FH-22-06 proposed limits on the size and numbers of tournaments that could be held on waters. Monthly limits on the number of tournaments for lakes and chains of lakes varied depending on acreage, and considered both the size (number of boats) and length (number of days) of the tournament. Maximum size of tournaments (number of boats/participants allowed daily) was also proposed. Proposed limits on the Mississippi River pools were similar to existing limits in place in the state of Minnesota and were simply a maximum number of tournaments allowed per month.

There was minimal support for limits on the size and number of fishing tournaments that should be allowed on water bodies. The support generally came from the Wisconsin Association of Lakes and from individuals specifying the Mississippi River. However there was far more opposition to limits. Those opposed generally felt it was unfair to single out tournaments, given that crowding at and on waters of Wisconsin transcend all water recreation. Although some alternatives were presented, many of them would add complexity to an already complex proposal.

DNR position: Wisconsin Act 249 states that the Department may promulgate rules for “controlling crowding, preventing unsafe conditions among the users of the body of water on which fishing tournaments are held or at facilities for public access to those bodies of water, including boat ramps, and parking lots”. As such, it is the Department’s goal to reduce user conflicts that may arise with the presence of fishing tournaments while providing reasonable access to Wisconsin’s fisheries and aquatic resources as outlined in NR 1.91 (5) (b). The Department believes that controlling the number of fishing tournaments on a waterbody will benefit all users of the waters of the state of Wisconsin including those participating in fishing tournaments. The Department feels that the proposed limits are not overly restrictive but act to temporally and spatially distribute fishing tournaments in an equitable fashion which will reduce conflicts due to crowding. Differential limits on the Mississippi River pools will reduce confusion since the proposed rules match those from Minnesota.

Public comment

Major Themes:

1. It is unfair to limit access to public waters by one specific group of users; crowding at boat landings, and on the water is a ubiquitous problem regardless of tournament anglers.

DNR response: Crowding associated with fishing tournaments is an issue that is often brought forth by people who utilize waters in the state of Wisconsin as well as Department staff. In an investigation into how people view fishing tournaments, completed as part of the Bass Fishing Tournament Pilot Program, crowding associated with fishing tournaments was an issue cited by a

substantial proportion of those interviewed. Approximately one-half of all anglers interviewed said that being on the water as a non-participant during a tournament affected the quality of their fishing experience (52%), and 48% said the tournament made it difficult to obtain access to the water. In addition, other water recreation users reported that tournament boats and trailers caused overcrowding in parking lots (56%). Therefore, in the interest of reducing user conflicts, the Department feels that limiting spatial and temporal use of waterbodies by tournament anglers is appropriate and the Department has been given the authority to do so in 2003 Wisconsin Act 249.

2. Limits are unnecessary because tournament size and frequency are self-limiting (by tournament organizers).

DNR response: This is undoubtedly true in some instances. However, there are a number of other instances when there are conflicts. Having uniform standards for the number of tournaments that can be held will act to reduce these conflicts.

3. Proposed limits on the number of tournaments per month for the Mississippi River are too low; most of the pools would qualify as unlimited due to their acreage according to the proposed limits for inland lakes and lake chains.

DNR response: The proposed limitations on the Mississippi River are the same as those already in place in the state of Minnesota. Limits complementary to those in Minnesota greatly decreases regulatory complexity and confusion. In addition, by forcing the organizer to select a particular pool where the primary fishing activity or weigh-in will take place, tournaments that occur in multiple pools will only count against the limit for the pool that was selected by the organizer.

4. Permitting restrictions should only apply to the number of 50+ boat tournaments and not to smaller tournaments.

DNR response: Many small tournaments (i.e. between 20 and 50 boats) occur in Wisconsin each year. Although the smaller tournaments are likely to have a smaller impact than larger tournaments, their cumulative impact may be substantial. As such, the Department feels that requiring a permit from these smaller tournaments is necessary to obtain a complete picture of fishing tournament activities in Wisconsin.

5. Limits should not apply to weeknight tournaments that are generally only 3-4 hours and often have a one fish bag limit.

DNR response: See response to 4 above.

6. The limits are unnecessarily restrictive with respect to species of fish targeted by tournaments.

DNR response: The Department does not believe that the limits are overly restrictive and in general think that the majority of tournaments will be unaffected by the limits. Part of the justification for imposing limits is to reduce crowding and user conflicts and therefore this justification is independent of the fish species being sought.

7. There needs to be more protection for smaller lakes.

DNR response: The Department feels that the reduced number of tournament days and size of tournaments allowed on smaller lakes provides sufficient protection for smaller lakes.

8. The holiday weekend ban on tournaments is unnecessary.

DNR response: Holiday weekends and opening days for particular species are very popular times to fish among anglers in Wisconsin. In order to reduce crowding and the potential for user conflicts, the Department feels that permitted tournaments should not be allowed at these times.

Suggested Alternatives:

1. Limits should be placed on all boating activities.
2. Do not create limits; Limit tournaments to no more than three per weekend.
3. The limits for the Mississippi River should be eliminated altogether; Mississippi River pools should be treated like the inland lakes and lake chains and limits should be associated with surface acreage and the number of boats.
4. Change permit requirements so that they apply only to tournaments with 50+ boats.
5. Create an annual permit for night leagues or opens.
6. Create species specific limits for water bodies.
7. Another lake size (100–249 acres) category should be added with a maximum number of 15 boats and 30 boat*days; require a permit for tournaments with 10 boats on lakes 100-249 acres.

Other Limit Comments:

- The limits should be applied on a species-specific basis (e.g. limits on the number of bass tournaments, walleye tournaments, rough fish tournaments, etc).

DNR response: The Department does not believe that the limits are overly restrictive. The majority of tournaments will be unaffected by the limits. Part of the justification for imposing limits is to reduce crowding and user conflicts and therefore is independent of the fish species being sought.

- Rules should contain the authority to prevent overlapping tournaments.

DNR response: While the current limits do not specifically prevent overlapping tournaments, there are a number of provisions that act to spread tournaments out both spatially and temporally and the Department feels that the currently proposed rules are sufficient in this regard.

- Tournament boat*day allocations should apply to each water individually in a multi-water tournament.

DNR response: The current rules apply tournament*boat data allocations to each water individually in multi-water tournaments.

- The number of tournaments on a water should be regulated based on science – what that fishery can sustain without harm.

DNR response: The Department agrees that the number of tournaments should be based in part on what the fishery can sustain without harm. However, the Department also feels that the sociological concerns related to crowding associated with some fishing tournaments necessitates proposed limits be based in part on public access standards set forth in NR 1.91(5)(b).

- Limits on tournament size should be waived if there is a beneficial management outcome (e.g. rough fish control, northern pike control) for that water.

DNR response: While tournament fishing may in some cases benefit management activities, there will also be issues related to access and crowding associated with tournaments even when their presence is beneficial. As such, the Department feels that other methods should be the primary tool to address management concerns outlined by this comment. However, the under 8 (a) of the proposed rules, the Department may issue an additional permit if it conforms to the best management practices of the lake.

- There is no reason to limit the number of participants allowed in ice fishing tournaments.

DNR response: The Department feels that use and access issues also exist with ice fishing tournaments. As such, the Department recommends limiting the number of participants allowed in ice fishing tournaments.

Catch-Hold-Release Ban – FH-22-06 initially proposed a prohibition on the catch-hold-release format – where fish are caught, held in live wells, transported, weighed, and later released – fishing tournaments during the months of July and August to address concerns about waste of fish due to post-release mortality.

The previously proposed ban on catch-hold-release tournaments during July and August generated the greatest number of specific comments for specific rule components. It is probably the issue that caused the majority of the controversy surrounding FH-22-06. Despite the volume of comments received, the unique themes were limited. Most people were opposed to a ban on live release tournaments during July and August, feeling that it was unnecessarily restrictive. Many provided reasonable alternatives to a ban.

DNR position: After meeting with the FTAC and considering the public comments, the Department proposes to establish the authority to require a reduced daily bag limit for walleye and bass species for a period of time, with specific dates, that are have been quantitatively and conservatively tied to particular species specific water temperatures that result in increased delayed mortality provided that the conditions that would result in a reduced daily bag limit will be outlined at the point of permit issuance. In addition, the reduced daily bag limits will address the desire of tournament organizers to have a consistent framework for tournament organizers.

The currently proposed rules recommend given the Department the authority to require a reduced daily bag limit of three for walleye from the second Saturday in June to the first Sunday in September for all catch-hold-release tournaments and a reduced daily bag limit of three bass first Saturday in July to the second Sunday in August for all catch-hold-release tournaments. These dates were estimated based on nine lakes that are part of the University of Wisconsin Long Term Ecological Research (LTER) project. The lakes range from large to small and are located throughout the state. Bi-weekly temperature data was available from 1981-2006 for most lakes and from 1995-2006 for the remaining lakes. We based the above restrictions on the average first date that any lake reached 70°F (for walleye) and 80 °F (for bass species) and the last average date that temperatures dropped below these levels. These temperatures are approximately the temperature thresholds where studies indicate a substantial increase in delayed mortality from fishing tournaments. The dates selected are conservative (some lakes will never reach threshold temperatures and others will not reach these temperatures in some years). However, in order to reduce confusion and have guidelines that are applicable statewide we chose to be conservative. The exact dates estimated were June 15th through September 6th for 70°F and July 6th through August 15th for 80°F. We rounded to the nearest weekend for the sake of clarity.

Public comment

Major Themes:

1. Banning catch-hold-release tournaments during July and August is unnecessarily restrictive.

DNR response: In an effort to allow tournaments to practice catch-hold-release tournaments in July and August and reduce the effects of elevated indirect mortality that may occur in some waters in these months due to high water temperatures, the current rules propose that the Department may require a reduced bag limit of 3/day for walleye and bass species when water temperatures are likely to be above threshold levels in some waters. Specific conditions that would result in a reduced daily bag limit will be provided at the point of permit issuance.

2. Regulations related to warm water restrictions should be species-specific.

DNR response: Regulations related to warm water temperatures are specifically linked to walleye and bass species in the currently proposed rules.

Suggested Alternatives:

1. Require live release tournaments to have perpetual weigh-ins (open all day).
2. Require tournaments to institute reduced bag limits for participants.
3. Require tournaments to have a shorter fishing day.

4. Require the tournament to start and end earlier in the day.
5. WDNR should establish/require an education and training program for tournament organizers to teach them how to best handle fish.
6. Alternatives may be necessary under extreme conditions for larger tournaments, but those should be handled on a case-by-case basis and not with a blanket rule.
7. Require tournament organizers to patrol the water after a tournament to search for and pick up post-release mortalities.
8. Make the live well standards permanent.
9. Require tournaments to institute alternate size limits (e.g. keep smaller fish).
10. Limit the number of participants during extreme conditions (no extremely large events).
11. Allow biologists to write specific fish handling conditions based on weather/water conditions.
12. Regulation of tournament-associated mortality should be regulated on a tournament-by-tournament basis; Establish criteria to give local biologists guidance to place additional conditions on permits ; rule should require biologist to review the potential for mortality as part of the issuance process; specific criteria (water temp, presence of fish disease, water levels, handling procedures, distance from weigh-in, tournament length, number of fish in live well, wind and wave conditions); criteria should be created by DNR staff with input from FTAC; rule should require review of approved permit as tournament approaches to deal with intervening conditions

Other Comments:

- Such a ban would reduce an already short season for live release tournament fishing, especially in the northern bass zone where the catch-keep season does not open until the third week of June; No live release for two months would pack more tournaments into the months where live release is allowed.

DNR response: The Department believes that the option to require a reduction in the daily bag limit for walleye and bass species for catch-hold-release tournaments that occur when water temperatures are above threshold levels in some Wisconsin water is a reasonable alternative to the ban on this format during July and August. The reduced daily bag limit will provide the opportunity for catch-hold-release tournaments throughout the summer while reducing the amount of indirect mortality associated with higher water temperatures in cases where increased direct mortality associated with water temperature are of concern.

- There is not enough scientific evidence indicating the necessity for a ban on live release tournaments in July and August; fisheries that experience large numbers of tournaments also have some of the best fisheries; there are no documented population problems due to tournament mortality.

DNR response: The Department believes that there is a reasonable amount of scientific information that suggests that delayed mortality is elevated for walleye and bass species at higher water temperatures. However, relatively little information indicates that there are population level concerns related to delayed mortality from fishing tournaments that occur in higher water temperatures. Even in if there were no detrimental population level effects, the increased delayed mortality may be considered waste of natural resources as prohibited under state statute 23.095 (1g). Therefore, the Department has sought methods to decrease the amount of delayed mortality associated with fishing tournaments held at higher water temperatures by instituting the option to require a reduced daily bag limit in waterbodies where delayed mortality is of concern.

- Immediate release formats will not work for most bass or walleye tournaments.

DNR response: Many tournament organizers currently prefer the catch-hold-release format. However, it is not clear that the immediate release format “will not work”. For example, a nationally televised tournament in Texas with a \$1,000,000 purse (Toyota Texas Bass Classic. Lake Fork, Texas, April 13-15th 2007) utilized the immediate release format.

- The potential loss of economic impact due to loss of tournaments outweighs loss of fish when no biological impact on the population results.

DNR response: The Department has no information to indicate whether the total number of tournaments will increase or decrease as a result of the proposed regulations. The number may increase if they are viewed favorably compared to neighboring states or they may decrease if they are viewed negatively. In addition, as outlined in the response to the comment above, even in the absence of population level impacts, the Department needs to address issues related to the potential waste of natural resources as set forth in state statute 23.095 (1g).

- There should be no fishing tournaments during the spawn.

DNR response: The concern related potential for fishing during spawning periods to impact fish populations is valid. However, this concern relates to tournament anglers and non-tournament anglers alike and there is a notable absence of data suggesting negative population level impacts related specifically to fishing tournaments. Fishing regulations are designed in part to sustain fish populations and therefore, there does not seem to be any need to regulate tournament anglers in this regard in a more restrictive manner than other anglers.

FTAC opinion (June 2007 meeting)

What alternatives to the “July-August live release format ban” address the increased mortality of fish due to stress at higher water temperatures?

General comments from individual committee members:

- Some certainty for organizers and a low cost to administer (the program) should be a consideration in selecting an alternative. DNR could list lakes not subject to the July –August ban based on temperature characteristics of those waters.

DNR response: The Department has attempted to further refine the temperature characteristics of Wisconsin lakes to obtain a better understanding of when water temperatures are likely to exceed threshold levels that result in increased delayed mortality for walleye and bass species. It is true that some waterbodies may never reach these temperatures particularly in individual years. However, in the interest of keeping confusion to a minimum and because predicting when and if a particular waterbody will reach threshold temperatures is difficult, the Department feels that general timelines for the where the reduced daily bag limit may be instituted are appropriate.

- Guidelines for handling and transporting bass in tournaments already exist.

DNR response: Appropriate handling and transporting of bass certainly help reduce direct mortality associated with tournament fishing. However, delayed mortality seems somewhat difficult to reduce regardless of the care taken in handling and transporting bass. Therefore, the Department seeks to reduce this mortality through a reduced bag limit during times of the year when some waterbodies in Wisconsin reach threshold levels. The reduction of the daily bag limit is not a requirement however and will only be included when the Department feels there is a reasonable likelihood of high water temperatures and conditions where the reduced daily bag limit will be required will be defined at the point of permit issuance.

- Anglers will not stop fishing competitively during a (July-August) ban.

DNR response: The Department does not seek to stop competitive fishing from occurring at any point in the year. However, the currently proposed rules seek to reduce delayed mortality during time periods with elevated water temperatures.

- 80°F is accepted by other states; this is not seen as an issue for bass.

DNR response: The current timelines for reduced daily bag limits tournaments targeting bass were based on the temperature threshold of 25°C (77°C) which is generally the temperature supported in the scientific literature.

- DNR should prepare information for the NRB to estimate the mortality in July-August.

DNR response: The Department does have some information that was gathered during the Bass Fishing Tournament Pilot Program related to tournament associated mortality in addition to other published studies that suggests increased delayed mortality (approximately 25%) when water temperatures exceed 25°C.

- Rules for tournaments should be consistent and not vary county to county.

DNR response: The Department recognizes the desire for consistency. The currently proposed rules give nominal authority for the DNR fisheries biologists to impose particular conditions on fishing tournaments at the point of permit issuance (specifically they may require conditions related to the maximum time fish are held in live wells and/or the maximum distance fish can be transported). In general, the rules apply statewide.

- A fishery manager and tournament organizer could make the decision (about how to proceed with modified tournament rules in July-August) if they had some “hard” guidelines.

DNR response: In the interest of maintaining consistency among counties, the option to require a reduced daily bag limit of three for bass and walleyes is a statewide provision of the proposed rules.

The following alternatives and view points were discussed among the 10 advisory committee representatives. The number of representatives supporting each statement is shown in **[brackets]**. The statements are grouped for similarity based on the facilitator’s understanding of the comments and the representative’s intent.

- **[8]** “Leave well enough alone; no ban in July/August.”

DNR response: In an effort to allow tournaments to practice catch-hold-release tournaments in July and August and reduce the effects of elevated indirect mortality that may occur in some waters in these months due to high water temperatures, the current rules propose the option for the Department to reduce the daily bag limit to 3/day for walleye and bass species when water temperatures are likely to be above threshold levels in some waters. Conditions that would require a reduced daily bag limit would be outlined at the point of issuance.

- **[8]** “DNR should develop species specific guidelines for tournaments organizers to determine if a fish is releasable.”

DNR response: Species specific guidelines for releasing fish would likely act to decrease direct mortality but delayed mortality is unlikely to be affected greatly as evidenced by the fact that while direct mortality rates associated with tournament fishing have been greatly decreased over the past 20 years (due to refined handling and transporting techniques), there has been no similar trend in delayed mortality.

- **[6]** Fishery managers should be allowed to advise the tournament to voluntarily reduce the bag limit based on water temperature.

DNR response: The Department feels that allowing fisheries managers the option to require a reduced bag limit within a specific time period, with the provision that the

conditions that will result in a reduced daily bag limit will provide tournament organizers with sufficient advance notice to plan their tournament accordingly.

- **[6]** “Self-regulation (of tournaments) is working to reduce mortality through catch and release and other handling practices. The bass populations are not in trouble. We need to educate anglers, tournament promoters, and the communities instead of a ban.”

DNR response: The Department agrees that tournament organizers and participants are working to reduce mortality and that in general bass populations are not currently being negatively impacted to the point that causes population level concerns. However, Wisconsin 2003 Act 249 authorizes the Department to regulate fishing tournaments in Wisconsin and lays out a number of reasons in addition to the sustainability of bass populations including reducing user conflicts and the potential for elevated levels of delayed mortality to be considered a waste of natural resources.

- **[4]** Fishery managers should be allowed to change the tournament conditions, possession limit, or require immediate release based on the current conditions.

DNR response: The Department feels that allowing fisheries managers the option to require a reduced bag limit within a specific time period, with the provision that the conditions that will result in a reduced daily bag limit will provide tournament organizers with sufficient advance notice to plan their tournament accordingly.

- **[3]** “Treat tournament anglers like regular anglers.”

DNR response: The fact that Wisconsin 2003 Act 249 directed the Department to promulgate rules associated with tournament fishing means that anglers participating in tournaments will have additional regulations that they must abide by that regular anglers may not. This additional regulation is required because fishing tournaments result in conditions that differ from conditions created by general anglers (such as relatively intense fishing activity in a short period of time, crowding of the lake and the boat landings etc).

- **[3]** Conditions of the water, pathogens, handling, and size of the water are other factors to consider.

DNR response: The current rule proposal states that the fisheries biologist may include conditions in issuing the fishing tournament permit that are necessary to prevent the spread of aquatic invasive species (including pathogens). The presence of pathogens or other conditions in a water should not affect whether tournament fishing can occur in a waterbody or not. If the conditions are severe enough that the presence of a tournament puts the fish population in jeopardy, additional fishing restrictions should be placed on all anglers.

- **[2]** Let fishery managers decide based on the condition on the water (e.g. temperature) at the time instead of a July-August ban. The manager should interact with the tournament organizer to adjust the conditions of the tournament.

DNR response: The Department feels that allowing fisheries managers the option to require a reduced bag limit within a specific time period, with the provision that the conditions that will result in a reduced daily bag limit will provide tournament organizers with sufficient advance notice to plan their tournament accordingly.

Aquatic Invasive Species – FH-22-06 initially proposed several provisions related to aquatic invasive species and fishing tournaments. Specifically it proposed requiring applicants for open water fishing

tournament permits to submit a written plan describing the procedures that will be followed to prevent the spread of aquatic plants and aquatic invasive species by tournament participants and organizers. Additionally, the plan would need to be approved by the department and executed by the organizer. Language would also require tournament participants to be in compliance with AIS laws found in s. 30.715, Stats. The proposal would require tournament organizers to inform participants of procedures recommended by the department to clean and decontaminate boats and equipment of aquatic plants and invasive species prior to the tournament.

DNR position: The Department feels that existing AIS laws and the pending additional restrictions designed to reduce the spread of AIS as a result of the discovery of the VHS virus in Wisconsin waters will aid in efforts to control AIS from many vectors including tournament anglers. Tournament anglers are required to abide by all laws that apply to general anglers including AIS laws so the Department feels that additional requirements for tournament anglers are unnecessary at this point. However, the proposed rule recognizes the importance of controlling AIS and provides an additional penalty to tournament organizers of being barred from obtaining a tournament permit from a period of two years in the state of Wisconsin if they fail to comply with existing AIS laws.

Public Comment

Major Themes:

1. AIS are every boater's problem, not just tournament anglers. Any AIS regulations should apply to all boaters.

DNR response: The Department agrees all users of Wisconsin waters need to be concerned with AIS. As such, the requirement to submit an AIS plan for fishing tournaments has not been included in the currently proposed rules. The Department feels that current AIS laws, in addition to specific permit conditions added by the fisheries biologist in appropriate circumstances, can adequately address AIS issues associated with tournament fishing.

2. There are already laws related to AIS.

DNR response: See response to previous comment.

3. The approach to AIS should be education of tournament organizers and anglers, not targeted regulation of them.

DNR response: The currently proposed regulations emphasize education by requiring tournament organizers to inform all participants of procedures recommended by the Department to clean and decontaminate boats and equipment to reduce the likelihood of spreading AIS.

4. DNR should require watercraft inspections and boat disinfection.

DNR response: The Department agrees all users of Wisconsin waters need to be concerned with AIS. As such, the requirement to submit an AIS plan for fishing tournaments has not been included in the currently proposed rules. The Department feels that current AIS laws, in addition to specific permit conditions added by the fisheries biologist in appropriate circumstances, can adequately address AIS issues associated with tournament fishing.

5. Tournament organizers should be required to submit a detailed plan for AIS control, reviewed and approved by WDNR. WDNR should be granted authority to enforce compliance with the plan.

DNR response: See DNR response to previous comment.

Suggested Alternatives:

1. The department should develop a strategy to reduce the spread of AIS by all anglers (boaters).
2. Current AIS laws should be more strictly enforced.

3. The department should train/certify tournament organizers on AIS prevention. Require tournament organizers to provide educational materials, supplied by the department, to participants.
4. Lake associations may be able to assist with watercraft inspections. Require tournaments to utilize the 'clean boats clean waters' protocols.

Other AIS Comments:

- Trout and salmon tournaments on Lake Michigan should be exempt from AIS regulations since most of the boats are used exclusively on Lake Michigan and not transported to inland waters.

DNR response: Lake Michigan is one of the primary reservoirs of AIS as evidenced by the most recent discovery of VHS. Therefore, the Department does not feel that tournaments on Lake Michigan should be exempt.

- Tournaments should not be allowed to include infested waters, be required to fish only infested waters, or be allowed to only fish one waterbody in a day (i.e. no multiple lake tournaments).

DNR response: Preventing the spread of AIS is the responsibility tournament anglers as well as all other users of the waterways of Wisconsin. Current regulations associated with AIS apply to tournament anglers as well as others.

- WDNR should keep better track of weed harvest operations and require/enforce removal of weeds that wash on shore at boat launches, which increases the likelihood of a trailer picking up and transporting AIS.

DNR response: It is currently illegal to launch a boat with invasive plants attached and aquatic plant removal operations currently require a permit from the Department. The Department takes the threat of AIS seriously and is working hard to prevent their spread.

- Tournament anglers and organizers should be models for the general angling public with respect to AIS prevention.

DNR response: Given the high profile nature of many fishing tournaments, the Department would be grateful for the assistance of tournament participants and organizers in demonstrating effective means for preventing the spread of AIS.

**Public Appearances
FH-22-06
Tournament Fishing Regulations**

October 30, 2006 – Fond du Lac

In support:

Lil Pipping, Wis. Wildlife Federation, 562A Crestwood Drive, Elkhart Lake, WI 53020
Kenneth Pipping, 562A Crestwood Drive, Elkhart Lake, WI 53020
Jim Schommer, 384 Grove, Fond du Lac, 54935

In opposition:

Doug Butzine, 203 Western Avenue, Watertown, WI 53094
Tom Ehrenberg, 704 Millersville Ave., Howards Grove, WI 53083
Robert Lloyd, 532 Water Street, Fond du Lac, WI 54935
Rick Hartwig, President, Oshkosh Bassmasters, 705 Claggett Avenue, Waupun, WI 53963
Jim Coon, 5600 N. Ballard Road, Appleton, WI 54913
Jay Cukla, 320 Cedar Street, Hartford, WI 53027
Chris Jones, 701 Manchester Road, Neenah, WI 54956
Brett Weir, 3820 Highway 33 West, West Bend, WI 53095
Paul Hagemann, 513 South 27th Street, Manitowoc, WI 54220
Rob Wittchow, 324 Spaulding Avenue, Ripon, WI 54971
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Thomas Haynes, 316 N. Warren Street, Watertown, WI 53098
Robert Stephens, W6245 Park Drive, Burnett, WI 53922
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Tom Keros, W341 N6825 Starlight Drive, Oconomowoc, WI 53066
Mike [last name illegible], N8607 Lakeshore Drive, Fond du Lac, WI 54937
John Berlowski, N4786 Maple Drive, Oakfield, WI
James Gibson, 3158 Spring Valley Road, Oshkosh, WI 54901
Robert Schmitt, N9558 Hartford Lane, Appleton, WI 54915
Sherman H. Jacobson, N9369 Lakeshore Drive, Van Dyne, WI 54979
Matt Jacobson, 653 Krenz Road, Omro, WI 54963
Jon B. Blough, W9380 Garvey Road, Hortonville, WI 54944
Keith Daniels, 5666 U.S. Highway 151, Fond du Lac, WI 54937
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Chris Yagerst, 1131 Evergreen Street, West Bend, WI 53095
Shannon Grager, 1252 Lakeview Road, West Bend, WI 53090
John Clumpner, 1018 Riverview Drive, Little Suamico, WI 54141
Mark Stahlkopf, N6833 Star Road, Plymouth, WI 53073
James R. Schuchardt, N4712 Maple Drive, Oakfield, WI 53065
Chris Wenzel, 636 Cedar Street, Neenah, WI 54956
Peter McKeever, 634 W. Main Street, Madison, WI 53703
Brian Pluim, 125 Third Street, Brandon, WI 53919
Matt Sullivan, W12691 County Road AS, Brandon, WI 53919
David LeVene, 4520 Country Lane, Manitowoc, WI 54220
Scott Rocheleau, Fond du Lac, WI 54935
Tanner Milam, N9302 Old ZZ Road, Pardeeville, WI 53954
Daniel W. Buss, 6728 Hickory Hill, West Bend, WI 53090
David A. [last name illegible], N82 W28160 Marshall Drive, Hartland, WI 53029
Dan Johnson, 1801 Miller Park Way, Milwaukee, WI 53214
Ken Schoenecker, 6416 Alpine Drive, West Bend, WI 53095
Wendy Heim, 412 S. Taylor Street, Green Bay, WI

Dan Arnoldussen, N3760 Sharon Rose Court, Appleton, WI
Jody Robillard, 2660 Robillard Road, Brussels, WI 54204
Jim Barczak, W982 U.S. Highway 45, Fremont, WI 54946
Steve Hennig, N4844 Long Road, Chilton, WI
Sean Freund, N616 CTY, New Holstein, WI 53061
James Leuknecht, 42 W. Main Street, Chilton, WI 53014
Sharon Grenzer, N5091 Cty. BB, Chilton, WI 53014
Dennis Buechel, 312 E. Harborview Drive, Fond du Lac, WI 54935
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Casey Bohn, 908 Minnesota Avenue, N. Fond du Lac, WI 54937
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Jesse L. Kind, 314 Taylor Street, Waupun, WI 53963
Eric Hidde, 989 West Main Street, Waupun, WI 53963
Fred Foster, 200 Sarah Lane, Beaver Dam, WI 53916
Robert A. Loose, W1471 Irish Road, New Holstein, WI
Steve Meyer, 332 Leona Way, Oakfield, WI 53065
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Chad Johnson, 2104 Highway J, Cato, WI 54230
Terry Wohler, 1357 Ceape Avenue, Oshkosh, WI 54901

As interest may appear:

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Chris Gasser, 557 1st Street, Random Lake, WI 53075
Michael Arrowood, W7859 E. Clark Road, Oakfield, WI 53065
Jim Hughes, 1837 Sheridan Street, Oshkosh, WI 54901
Steve Poll, 491 State Road 26, Oshkosh, WI 54904
Lee E. Boyd, 4626 Island View Drive, Oshkosh, WI
Jerry Loop, N6120 Center Road, Brandon, WI
Carl Althaus, 622 Marshall Court, West Bend, WI 53090
Steve Kohel, 4544 Island View Drive, Oshkosh, WI 54901
Jack Brauer, 5736 I-Ah-Maytah Road, Oshkosh, WI 54901
Tim Long, 1135 Barbary Lane, Winneconne, WI
Guy Jensen, W4528 Lac Vue Court, Fond du Lac, WI 54935

November 1, 2006 – La Crosse

In support:

Robert E. Miller, 646 E. Division Street, Sparta, WI 54656
Carol Dagnon, 12308 Highway 35, DeSoto, WI 54624
Matthew Kuehl, 3601 Easter Road, La Crosse, WI 54601
Keegan Kuehl, 3601 Easter Road, La Crosse, WI 54601
John Raatz, 2932 Leonard Street, La Crosse, WI

In opposition:

Scott Gartner, 200 Alexander Street, La Crosse, WI 54603
Darren Zumach, N5416 Terrance Heights Drive, Onalaska, WI 54650
Marshall C. Wuensch, 503 Eagle Avenue, Rockland, WI 54653
Randy Howard, Box 412, Tomah, WI 54660
Richard Lowe, 11321 U.S. Highway 14, Soldiers Grove, WI 54655
Jeremiah Shaver, 222 Church Drive, La Crosse, WI 54603
Shorty Goettl, 19990 County Highway DD, Bloomer, WI 54724
David Snyder, 419 Michael Court, Onalaska, WI 54650

Leif Tolokken, 902 Lakeview Drive, La Crosse, WI 54603
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Heath Ahnen, 609 S. Main Street, Westby, WI 54667
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Mike Brueggen, 10510 Ogden Avenue, Cashton, WI 54619
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Charles W. Benson, 4214 Pine Crest Court, La Crosse, WI
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Jim Caulum, 403 Eagle Avenue, Rockland, WI 54653
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Jason Doroghazi, 305 Mallard Drive, Holmen, WI 54636
Brent Serum, S371 County Road F, Durand, WI 54736
Matt Larson, W1784 Owen Valley Road, Nelson, WI 54756
Kevin Johnson, 8340 Ida Avenue, Sparta, WI
Ken Sliva, 9842 Gardener, Sparta, WI 54656
Maryann Sliva, 413½ N. Court Street, Sparta, WI 54656
Peter Tabor, N5625 Oak Hills Drive, Onalaska, WI
Robert Heilman, 42177 Duane Drive, Dakota, MN 55925
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Ben Polaracke, 2006 S. 15th Street, La Crosse, WI 54601
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Brian Christianson, 1912 Miller Street, La Crosse, WI 54601
Todd Bing, 3020 Glendale Avenue, La Crosse, WI 54601
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As interest may appear:

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Ralph Roggenbuck, Jr., 1528 7th Avenue, Bloomer, WI 54724
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Ed Kamrowski, 508 Winona Street, La Crosse, WI 54603
Jim Nissen, 555 Lester Avenue, Onalaska, WI 54650
Scott Yess, 555 Lester Avenue, Onalaska, WI 54650
Peter Masel, 608 Riders Club Road, Onalaska, WI 54650
Jim Brown, 410 Veterans Memorial Drive, La Crosse, WI 54601
Greg Olson, 418 Mississippi Street, La Crosse, WI 54601

Todd Mathison, 1011 Main Street, La Crosse, WI 54601
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Ray Mertes, 11891 Main, Trempealeau, WI 54661
Mike Running, 21894 Felming Avenue, Tomah, WI 54660
Pam Thiel, W2645 Highway 33, La Crosse, WI 54601
Phil Richardson, W5075 [illegible] Coulee Road, La Crosse, WI 54601
Jesse Kassera, 6301 Hamlet Avenue, Sparta, WI 54656
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Jean Lunde, 1101 Main Street, Onalaska, WI 54650

November 2, 2006 -- Fitchburg

In support:

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Sal Troia, 2968 Woods Edge Way, Fitchburg, WI 53711
Gary A. Engberg, 10106 Highway Y, Mazomanie, WI 53560

In opposition:

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Tony Puccio, 6555 Highway M, Verona, WI 53593
Jon Feller, 807 W. Lexington Parkway, DeForest, WI 53532
Tom Butzine, 203 Western, Watertown, WI 53094
Donald Laes, 528 Hanks Hollow Trail, DeForest, WI 53532
Brad Lemke, 1508 Greencrest Drive, Watertown, WI 53098
Russell E. Olson, 129 Sandridge Trail, Sun Prairie, WI 53590
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Mike Simonds, N9150 Donald Lane, Watertown, WI 53094
Dan McAdams, 6618 Winding Way, DeForest, WI 53532
Tom Hendron, 655 Scott Street, Oregon, WI 53575
Terry A. Loheen, N2694 Highway V, Apt. A, Lodi, WI 53555
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Doug Butzine, 203 Western Avenue, Watertown, WI 53094
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Chuck Rolfsmeyer, 6503 Lani Lane, McFarland, WI 53558
Brian John, 913 Hilderbrandt Street, Stoughton, WI 53589
Scott Zagrodnik, 327 N. Kerch Street, Brooklyn, WI 53521
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Karie Theobald, W10680 E. Harmony Drive, Lodi, WI 53555
Rebecca Hildebrandt, 325 N. Main Street, Cottage Grove, WI 53527
Dan Triplett, N48 W34076 Jacckles Drive, Nashotah, WI 53058
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Dave Zugenbuehler, 6021 Meadowood Drive, Madison, WI 53711
Charlie Goodson, 4310 David Road, Madison, WI 53704
Bill Long, 654 W. Prairie Street, Columbus, WI 53925
Dan Duerst, 506 Natchez Court, DeForest, WI 53572
Phil Graham, 1021 Pasadena Parkway, Waunakee, WI 53597
Eric Pederson, 5221 Knightsbridge Road, Madison, WI 53714
Larry W. Howe, 1607 Pondview Court, Middleton, WI 53562
Daniel M. Miller, Jr., N3124 Blue Jay Road, Poynette, WI
Luke Ledvina, 928 Glen Drive, Wisconsin Dells, WI
Larry Hildebrandt, 325 N. Main Street, Cottage Grove, WI 53527
Tess Thruman, 111 W. Thomas Street, Poynette, WI 53955
Pamela McGillivray, 634 W. Main Street, Suite 101, Madison, WI 53703
Wells Kaiser, 719 South Main, Cuba City, WI 53807
Jeff Dryer, 128 Cedar Street, Brooklyn, WI 53521
Herman F. Hauser, 2020 Foggy Mountain Pass, Waunakee, WI 53597
Sharen Stanford, 2408 County Road MM, Fitchburg, WI 53575
Herbert A. Stanford, 2408 Highway MM, Oregon, WI 53575
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Jared Goodson, 2807 Victoria Lane, Madison, WI 53704
Stan Ryan, 4303 Crawford Drive, Madison, WI 53711
Drew McAdams, 6618 Winding Way, DeForest, WI 53532
Jon McElroy, 932 Drake Street, Madison, WI 53715
Mike Milia, 1118 Vilas Avenue, Madison, WI
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Keith D. Matush, 606 Snyder Drive, Dane, WI 53529
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Sean Barber, 4506 Surrey Circle, Madison, WI 53704
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Tim Willihnganz, N6624 Meadowview Drive, Pardeeville, WI 53954
Darren Luterbach, 1307 N. Jenkins Drive, Oconomowoc, WI 53066
Leon Luterbach, 1307 N. Jenkins Drive, Oconomowoc, WI 53066
Mark Duerr, 2203 S. 89th Street, West Allis, WI 53227
Michael Collins, 2931 Camp Leonard Road, McFarland, WI

As interest may appear:

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Roy S. Quam, 2394 Vernon Road, Stoughton, WI 53589
Frank Neu, 419 Cross Country Road, Verona, WI 53597
Donald Hinze, E10603 N. Reedsburg Road, Baraboo, WI 53913
Chris James, 3833 Dolphin Drive, Madison, WI 53719

November 8, 2006 – Green Bay

In support:

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In opposition:

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Chad Johnson, 2104 Highway J, Cato, WI 54230
Paul Jagemann, 513 S. 27th Street, Manitowoc, WI 54220
Pat Schardt, N6092 Mork Avenue, Shawano, WI 54166
Brian Garrity, 906 Lotus Lane, Wausau, WI 54401
Marcus Nejedlo, 868½ Dousman Street, Green Bay, WI 54303
John Krueger, 1041 Marinette Avenue, Marinette, WI 54143
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John Schneider, W10430 County Road M, Shawano, WI 54166
Greg Jahnke, 1005 E. Meadow Grove Blvd., Appleton, WI 54915
Chris Johnson, 3316 S. White Birch Lane, Appleton, WI 54915
Brian Dolota, 1794 Western Avenue, #31, Green Bay, WI 54303
Tom Zollar, 2594 Greenbrier Road, Green Bay, WI 54311
Wayne Butz, 735 Hunters Run, Oneida, WI
Chris Jones, 701 Manchester Road, Neenah, WI
Jody Campbell, 6744 Deuster Street, Greenleaf, WI
Dean Arnoldussen, N3760 Sharon Rose Court, Appleton, WI 54913
Jeremy Goddard, 2169 Cumberland Drive, Green Bay, WI 54311
Daniel B. Elsnor, 2043 Schanock Road, Green Bay, WI 54304
Peter McKeever, 634 W. Main Street, Madison, WI 53703
Michael E. Kordus, W7097 Plank Road, Menasha, WI
Joe Kopke, 1031 Clayton Place, Green Bay, WI
Scott Frisque, 2975 Devroy Lane, Green Bay, WI 54313
Jennifer Riederer, 2104 Highway J, Cato, WI 54230
Jesse Jeraber, N7802 County Road C, Casco, WI 54205
Bob Bohardt, 804 E. 5th, Shawano, WI 54166
Bob Puddy, 543 Somerset Drive, Green Bay, WI 54301
Dick Schardt, N6092 Mork Avenue, Shawano, WI 54166
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April Miller, N655 County Road W, Fremont, WI 54940
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Pete Petrouske, 1498 Ponderosa Avenue, Green Bay, WI 54313
Ron VanderLoop, 2121 Orrie Lane, Green Bay, WI 54304
Dave Palecek, 2402 West Point Road, Green Bay, WI 54304
Jay Zahn, 3097 Inverness Lane, New Franken, WI 54229
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Allen Burmeister, 524 S. Main, Seymour, WI
Tim Konitzer, 906 Division Street, Green Bay, WI 54303
Danny Lee, 1515 Vandenbroek Road, Little Chute, WI 54140

November 9, 2006 -- Sturtevant

In support:

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John Nissen, W368 S1811 W. Ottawa Avenue, Dousman, WI 53118

As interest may appear:

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Jim Jones, W224, S10850 Big Ben Drive, Big Bend, WI 53103
Craig Bender, 3618 Burr Oak Drive, Racine, WI 53406
James A. Klass, 622 Highview Drive, Slinger, WI 53086
Carl R. Bauer, 5872 S. New York Avenue, Cudahy, WI 53110
Craig Weidner, 24412 118th Street, Trevor, WI
Dennis Elfering, 27222 31st Street, Salem, WI 53168
Dave Norton, 2821 Circle Drive, Burlington, WI 53105
Mike McQuitty, 2821 S. Franklin Court, New Berlin, WI 53151
Mark Krmpotich, 1515 Minor Lane, Waukesha, WI 53189
Louis S. Kowieski, 719 South 97th Street, West Allis, WI
Chris Cox, N9091 Hughes Road, Belleville, WI 53508
William Parbs, 8121 N. Green Bay Road, Brown Deer, WI 53209
Dan Brovarney, 8106 Chestnut Street, Wauwatosa, WI 53213
Jonathan Wojak, 2319 S. 83rd Street, West Allis, WI 53151
Bob Matthies, 1217 S. Lombard Avenue, Cicero, IL 60804
Nicholas D. Smyers, 9605 Dunkelow Road, Franksville, WI 53126
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John W. Hanson, 4825 S. 69th Street, Greenfield, WI 53220
Tom Butzine, 203 Western, Watertown, WI 53094
Tom Haynes, 316 N. Warren Street, Watertown, WI 53098
Aaron David, 906 N. 4th Street, Watertown, WI 53098
Jeff Dyer, 1701 Chesapeake Lane, Schaumburg, IL 60193
Paul Novak, 8244 Iverson Road, Waterford, WI 53185
Bill Adcock, 33103 31st Street, Burlington, WI 53105
Gary Schild, 10114 Bain Station Road, Pleasant Prairie, WI
Paul Nogalski, N113 W20098 Merkel Drive, Germantown, WI 53022
Carl M. Bauer, 5872 S. New York Avenue, Cudahy, WI 53110
Nick Murphy, 10820 S. 27th Street, Oak Creek, WI 53154
James Koepp, 1417 Marshall, South Milwaukee, WI 53172
George [last name illegible], 1230 Lance Drive, Twin Lakes, WI 53181
Loddie Hukarevic, 6771 S. 18th Street, Milwaukee, WI 53221
C. Ramke, P.O. Box 735, Silver Lake, WI 53170
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Tony Ball, 4302 Riverside Road, Waterford, WI 53185
Pat Herolt, 25737 White Tail Court, Waterford, WI
Rick Bosshard, W28639 Long View Street, Hartland, WI 53029
Bob Bungard, W192 S7863 Overlook Bay Road, #4G, Muskego, WI 53150

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Kenneth D'Alessandro, 3119 43rd Street, Franksville, WI 53126
Dustin Smith, 7919 W. Wind Lake Road, #6, Wind Lake, WI 53185
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As interest may appear:

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Gary Dutton, 27928 31st Street, Salem, WI 53168
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November 14, 2006 – Spooner

In support:

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In opposition:

John L. Peterson, 2351 110th Street, New Richmond, WI 54017
Jerry Davis, 701 N. State Road 46, #34, Balsam Lake, WI
Leonard Erickson, 700 Utah Avenue, New Richmond, WI 54017
Leo DuRand, 1721 38th Street, Somerset, WI 54025
James Onarheim, 7611 W. Pine Point Road, Hayward, WI 54843
Gary Parsons, 75631 Zielke Road, Glidden, WI
Gene Tourville, Box 347, Centuria, WI 54824
John Amrhien, 1703 175th Avenue, Centuria, WI 54824
Jamie Gibson, 1158 Old Mill Road, New Richmond, WI 54017
Mitch Banger, N11957 Bald Eagle Drive, Minong, WI 54859
Steve Constant, 1160 Old Mill Road, New Richmond, WI 54017
Josh Miller, 4127 113th Street, Chippewa Falls, WI 54729
Bernie Zutter, 1021 Stanley Street, Chippewa Falls, WI 54729
Stanley Miller, 786 W. Railroad Avenue, Bruce, WI 54819
Larry Winger, 1485 19 5/8 Street, Cameron, WI 54822
Craig L. Solem, 2357 20 ¼ Street, Rice Lake, WI 54868
Wayne Camper, 107 Pine Crest Road, Balsam Lake, WI 54810
James Duncan, Jr., 712 Old Main Street, Balsam Lake, WI 54810
Steve Hawthorn, 12876 N. Balsam Road, Hayward, WI 54843
Dick Bathke, 36 W. Stout Street, Rice Lake, WI 54868
Ken Snow, W4703 850th Avenue, Spring Valley, WI 54767
Dave Neuswanger, 11121 N. County Road S, Hayward, WI
Terry Hogan, 15737 Highway 63 North, Hayward, WI 54843
Ervin Ericksen, 2178 43rd Avenue, Star Prairie, WI 54026
Al Bjorklund, 716 68th Street, Somerset, WI 54025
Jim Bjorkland, 716 68th Street, Somerset, WI 54025
Preston S. Johnson, 23 S. St. Patrick, Rice Lake, WI 54868
Dave [last name illegible], 1942 16 ½ Avenue, Cameron, WI 54822
Jason Slagstad, P.O. Box 219, Haugen, WI
Vern Simon, Box 324, Balsam Lake, WI

Robert Tourville, Route 1, 1376 150th Street, Centuria, WI 54824
Steve Truver, 12441 W. Heather Drive, Hayward, WI 54843
Ardell Lorenz, 2260 18 ³/₄ Avenue, Rice Lake, WI
Larry Thorson, N4188 420 Street, Menomonie, WI
Rod Platson, E2999 770th Avenue, Menomonie, WI 54751
Steve Johnson, 2521 Ricky Lane, Menomonie, WI 54751
Michael L. Jensen, 119 Noble Avenue, Rice Lake, WI 54868
Steve Jensen, 1111 West Knapp Street, Rice Lake, WI 54868
Brian Mrowczynski, 12824 Thomas Street, Osseo, WI 54758
Joe Moreau, 301 River Avenue East, Ladysmith, WI 54848
Roger Svoma, W9874 County A, Ladysmith, WI 54848
Donn Schlappa, N4582 Loop Road, Spooner, WI 54801
Nicole Ewing, 1158 Old Mill Road, New Richmond, WI 54017
George Greenbank, 7708 N. Broken Arrow Road, Hayward, WI
Larry E. Johnson, 25260 State Road 35, Webster, WI 54893
Stewart A. Miller, N1563 County Highway MD, Sarona, WI 54870
Randy Burch, W4895 Photio Road, Ladysmith, WI
Chris [last name illegible], 12463 East State Road 13, Maple, WI
Glen Getschel, 1102 110th Street, Amery, WI

As interest may appear:

Mike Persson, 15760 W. Lakeshore, Hayward, WI 54843
Patricia Andress, 787 Terrill Street, Chippewa Falls, WI
Willard Kiefer, 7784 S. County Road S, Lake Nebagamon, WI 54849
Wally Trudeau, 1235 135th Street, Amery, WI 54001
Morey Leventy, 122 206th Street, Star Prairie, WI 54026
Charles Pluntz, 12463 E. State Road 13, Maple, WI 54854
Richard Anderson, N5765 Bear Path Lane, Spooner, WI 54801

November 15, 2006 – Rhinelander

In support:

Jerry Knuth, 911 4th Street, Plover, WI 54467
Steve Sharon, 1159 Chicago Point Drive, Pelican Lake, WI
Ken Jackson, 1045 Jackson Lane, St. Germain, WI 54558
Mike Vogelsang, 1320 S. [name illegible] Road, Arbor Vitae, WI 54568

In opposition:

Jason Bragg, 940 Oak Street, Wisconsin Rapids, WI 54494
Lisa Wadzinski, 413 Sycamore Avenue, Plover, WI 54467
David Cantrell, 1601 Woodward Avenue, Rothschild, WI 54474
A. Jim Heffner, 7645 CTH D, Eagle River, WI 54521
Bill Jacobs, 923 Catfish Lake Drive, Eagle River, WI 54521
Tom Gatzke, W1966 County Road C, Merrill, WI 54452
Todd Forcier, 400 Taylor Avenue, Wis. Rapids, WI
Tony Dowalt, 3900 Jordan Lane, Stevens Point, WI 54481
Mike Wiza, 717 Franklin Street, Stevens Point, WI 54481
Mark Kordus, 1421 Silver Circle, Mosinee, WI 54455
Craig Kloth, N4158 River Drive, Medford, WI 54451
Corey Bump, Sr., 9403 Mill Creek Drive, Marshfield, WI 54449
Todd Holtman, N389 Brush Road, Merrill, WI 54452
Jeffrey Reed, 413 Sycamore Avenue, Plover, WI 54467
Roy Bragg, Jr., 8934 W. Morgan Avenue, Milwaukee, WI 53228

Lane Kerwin, 1030 4th Avenue, Antigo, WI 54409
Steve Worrall, 3790 Foster Lane, Rhinelander, WI 54501
Dick and David Heckel, 437 W. Division Street, Eagle River, WI 54521
Cary Bever, P.O. Box 327, Rhinelander, WI
Larry Felten, 4555 Lake Mildred Road, Rhinelander, WI 54501
Ted R. Heitschmidt, N10464 Mable Highland Drive, Tomahawk, WI 54487
Brian Gaber, 4355 Forest Lane, Rhinelander, WI 54501
Jeff [last name illegible], 4389 Cedar Lane, Rhinelander, WI 54501
Jerry Luell, 4664 South 109, Greenfield, WI 53228
Gary Gerrits, 2330 County Road G, Pelican Lake, WI 54463
Rex Hilgart, N12506 N. Voight Road, Fifield, WI 54524
Jack Poirier, 312 Sunrise Court, Stetsonville, WI 54480
Donald Pfeiffer, P.O. Box 96, Rhinelander, WI 54501
Nick Gaede, Gleason, WI
Jess Spiegelhoff, 4140 Bass Bay Drive, Rhinelander, WI 54501
Wayne R. Dezotell, W7975 Division Street, Park Falls, WI 54552
Gary G. Slagle, W8106 County Road E, Park Falls, WI 54552
Kevin Damrow, 377 S. 5th, Park Falls, WI 54552
Michael Carstensen, W6811 Maplewood Lane, Medford, WI 54451
Paula Bump, Marshfield, WI 54449
Heather Holtman, N389 Brush Road, Merrill, WI 54452
Melanie Holtman, N389 Brush Road, Merrill, WI 54452
Tony Bartishofski, 2411 Forest Drive, Tomahawk, WI
Sandra Bartishofski, 2411 Forest Drive, Tomahawk, WI
Todd A. Bartishofski, 1401 N. 1st Avenue, Wausau, WI 54401
Carol Heffner, 7645 County Road D, Eagle River, WI 54521
Brian Modrzejewski, 1947 County Road XX, Mosinee, WI 54455
Lonnie L. Tanck, 511 W. Riverside Avenue, Merrill, WI 54452
Thomas Nelson, 11263 Airport Road, Arbor Vitae, WI 54568
Roger A. Olson, Sr., 1232 Sharon Lane, Eagle River, WI 54521
Ted J. Heitschmidt, 2414 Kelly Dam Road, Tomahawk, WI 54487
Patrick Kingskind, W6448 Highway P, Endeavor, WI 53950
Autumn Winter, 5133 Horsehead Lake Road, Harshaw, WI 54529
Jason Kramer, 5481 Seed Lake Road, Harshaw, WI 54529
Judy Bedard, 3627 Sterling Drive, Rhinelander, WI
John Holmes, 3627 Sterling Drive, Rhinelander, WI
Thomas R. Wingreen, 4131 Bass Bay Drive, Rhinelander, WI 54501
Bruce Kohn, 4911 High Point Road, Rhinelander, WI 54501
Jim Ewan, 4991 Isle View Drive, Rhinelander, WI 54501
Roger Olson, Jr., 1265 Covey Lane, Eagle River, WI 54521
Kevin Schumann, N9569 Pfeifer Road, Tomahawk, WI 54487
Jack Greil, W6365 CTH E, Tomahawk, WI 54487
Tom McInnis, 14 E. Harvey Street, Rhinelander, WI 54501

As interest may appear:

Roger Sabota, 5000 Isle View Drive, Rhinelander, WI 54501
Bob Munsen, Box 1071, Star Lake, WI 54561
Kim Emerson, P.O. Box 1917, Eagle River, WI 54521
Les Schramm, 4884 Strawberry Bluff Lane, Crandon, WI 54520
Steve Doyen, 2532 Millerville Lane, Phelps, WI 54554
Dan Wojtusik, Box 1958, Eagle River, WI
Russ Warye, P.O. Box 128, Presque Isle, WI
Randy Peyer, 1750 Melody Lane, Rhinelander, WI 54501
Debbie Badini, The Lakeland Times, Minocqua, WI
Kevin [last name illegible], 1926 Apache Lane, Rhinelander, WI 54501

Scott Lange, 5997 Stelling Road, Tomahawk, WI 54487
Dan Lundberg, 10376 Tomahawk Road, Tomahawk, WI 54487
Ron Krueger, 2779 E. Shore Lane, Crandon, WI 54520
Frank Janus, 2431 Norway Point Road, Pelican Lake, WI 54463
David Weisenberger, [address illegible], Marathon, WI 54448
Bart Tegen, 3717 S. Limberlost Road, Rhinelander, WI 54501
Lee Bastian, 41 East Monico Street, Rhinelander, WI 54501
Richard Bourcier, 3839 W. Limberlost Road, Rhinelander, WI 54501
Quentin Milz, 5408 Trappers Trail, Rhinelander, WI 54501
Patricia Zastrow, P.O. Box 795, Rhinelander, WI 54501
Tom Urban, 4778 Bayview Drive, Rhinelander, WI 54501
Jean Eades, 416 Evergreen Court, Rhinelander, WI 54501
Robert Kerchefski, 3924 Highway 47 North, Rhinelander, WI 54501
Sue Worrall, 3790 Foster Lane, Rhinelander, WI 54501
Donna Schramm, 4884 Strawberry Bluff Lane, Crandon, WI 54520