

## ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

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1. Type of Estimate and Analysis

Original  Updated  Corrected

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2. Administrative Rule Chapter, Title and Number

NR 20, Fishing: Inland Waters; Outlying Waters and NR 23, Wisconsin-Michigan Boundary Waters

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3. Subject

Trolling regulations on inland and boundary waters of Wisconsin

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4. Fund Sources Affected

GPR  FED  PRO  PRS  SEG  SEG-S

5. Chapter 20, Stats. Appropriations Affected

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6. Fiscal Effect of Implementing the Rule

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

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

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

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

Yes  No

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9. Policy Problem Addressed by the Rule

This rule is being pursued in order to allow some form of trolling on all inland waters in Wisconsin, which would simplify current regulations and reduce angler confusion between trolling and position fishing.

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

For comments on the economic impact of the rule, the department contacted the Wisconsin Conservation Congress, the Wisconsin Counties Association, League of Wisconsin Municipalities, tribal entities, and many other angling associations throughout the state.

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

No local governmental units requested to coordinate with the department on preparation of the EIA.

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

It is not expected that there will be any economic impact directly related to these rule changes. The proposed rule does not apply directly to businesses, but to sport anglers. The rule is not expected to have an effect on small businesses. The rule does not impose any compliance or reporting requirements on small businesses nor are any design or operational standards contained in the rule.

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

Restrictions on motor trolling are inconsistently applied across the inland waters of Wisconsin. There is no biological justification for this inconsistency from lake-to-lake or county-to-county; angling success (catch rates) and harvest of muskellunge, walleye, or northern pike do not differ between casting and trolling. Also, a variety of interpretations still exist among anglers regarding the differences between "motor trolling" and "position fishing." For example, the practice of drifting with live bait and occasionally repositioning the boat, usually with an electric motor (often while also casting and retrieving an artificial lure), is specifically prohibited, yet many anglers believe this method is consistent with the definition of "position fishing." There are two primary concerns related to motor trolling: first, that trolling will result in more conflicts among anglers on small lakes, and second, that trolling negatively impacts the size-structure of fish populations (mainly muskellunge). However, the department has had no reports of user conflicts from the considerable

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number of waters already open to motor trolling, even though most are less than 400 acres in size.

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### 14. Long Range Implications of Implementing the Rule

No state fiscal impact is expected.

Allowing trolling statewide would:

- 1) simplify regulations by eliminating confusion about where trolling is or is not allowed;
  - 2) allow moving boats to trail behind suckers or other minnows while occupants are casting on all waters;
  - 3) eliminate the need for disabled anglers to have to apply for trolling permits; and
  - 4) provide additional fishing opportunities for anglers who may have difficulty fishing by other methods.
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### 15. Compare With Approaches Being Used by Federal Government

Authority to promulgate fishing regulations is granted to states. None of the proposed changes violate or conflict with federal regulations.

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

Motor trolling has been allowed for decades in Michigan (3 lines) and Minnesota (1 line). Trolling is allowed in Illinois provided the angler has not more than three poles and lines with not more than two hooks or lures on each. Iowa anglers may not use more than two lines or more than two hooks on each line when still fishing or trolling; if trolling and bait casting, one cannot use more than two trolling spoons or artificial baits on one line. A third line may be used when possessing a valid third line fishing permit.

A 2013 department rule (FH-18-12) originally included a trolling proposal that would have allowed trolling on all inland waters statewide with up to three hooks, baits, or lures per angler (three is the maximum number of hooks, baits, or lures that a person may use while hook and line fishing). After public hearings in each county and discussions with Wisconsin Conservation Congress delegates, the rule was modified to allow trolling on all inland waters statewide with one hook, bait, or lure per angler, and allowing trolling with up to three hooks, baits, or lures in most counties of the State and some individual waters. However, after submitting the rule to the Governor's Office of Regulatory Compliance, it requested that the department remove all trolling elements from the rule and obtain additional public input on a trolling proposal.

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<b>17. Contact Name</b>	<b>18. Contact Phone Number</b>
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**ADMINISTRATIVE RULES**  
**Fiscal Estimate & Economic Impact Analysis**

**ATTACHMENT A**

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

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

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

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

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

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5. Describe the Rule's Enforcement Provisions

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

- Yes     No
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