

Report to  
Legislative Council Rules Clearinghouse  
NR 20, Wis. Adm. Code  
Natural Resources Board Order No. FH-16-21

Wisconsin Statutory Authority

Section 29.514, Stats., establishes the outlying water sport trolling license for charter captains. This section directs sport trolling licensees to keep records regarding activities conducted under the license. The department is authorized to specify the information required on the report and the manner of the report. This section further specifies that reports must be submitted on or before the 10<sup>th</sup> day of each month.

Federal Authority

While charter captains are required by state and federal law to possess a valid U.S. Coast Guard operator's license and follow those license requirements, no other federal regulations specifically relating to trip reporting apply. States possess inherent authority to manage the fishery and wildlife resources within their boundaries, except insofar as preempted by federal treaties and laws, including regulations established in the Federal Register.

Comparison to Adjacent States

In Michigan, charter captains (both sport trolling charter captains and those using other fishing methods) in the Great Lakes are required to submit monthly reports to the Michigan Department of Natural Resources using an electronic system. The reports contain information on lake fished, date, specific location and hours fished, total number of anglers, total catch of major species, targeted species, and sea lamprey presence on certain salmonids. The Michigan DNR collects this data by sending a notification of reporting requirements to charter captains either by email or by hard-copy mailing, and then follows up with an additional postcard or mail notification and law enforcement contacts for those charter captains that have not yet submitted reports. This approach resulted in a 99 percent compliance rate in 2019-2020<sup>1</sup>.

Illinois also considers charter boats to include those taking anglers on paid fishing trips for sportfish in Lake Michigan. The Illinois DNR requires charter sportfishing boat operators to complete daily catch reports, all of which are due by the 15<sup>th</sup> of the following month, on forms and in the manner established by the managing DNR program. Those who do not comply may be subject to penalties and may not be able to obtain a charter boat permit in future years<sup>2,3</sup>.

Minnesota requires licensed Lake Superior fishing guides (including charters) to submit monthly fishing reports by the 10<sup>th</sup> day of the following month during the fishing season. Those that do not submit reports three times in a 2-year period may not be eligible for a guide license for up to three years.<sup>4</sup>

Iowa does not require guide licenses or guide reporting.

Court Decisions Directly Relevant

None apply.

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

Charter captains are licensed under an outlying waters sport trolling license per s. 29.514, Stats.,

to guide anglers in trolling for salmon and trout on Lake Michigan and Lake Superior. Chartered fishing trips comprise a significant proportion of the fishing trips that target trout and salmon in the Great Lakes, so accurate reporting data are important for meaningful management of trout and salmon fisheries. Under current administrative rules and statutes, charter captains are required to submit reports of their activities to the department on monthly paper forms provided by the department. This rule updates the method of reporting in s. NR 20.60, Wis. Admin. Code for sport trolling licensees so that licensees are required to report through an electronic reporting system, which is consistent with the overall electronic reporting methods for commercial fishers and Great Lakes fishing guides. Electronic reporting also is an important tool for timely, accurate reporting data that are directly utilized in Great Lakes fisheries management and population modeling. With all Lake Michigan and Lake Superior commercial fishers, fishing guides, and sport trolling licensees reporting electronically, input errors are expected to decrease, the department's reporting datasets will be greatly enhanced and the department will no longer need to manually enter information from monthly paper reports into an electronic format for analysis.

This rule also slightly modifies the associated timelines for reporting. While the full months' worth of fishing trip reports will continue to be due on or before the 10<sup>th</sup> of the following month, the rule requires the fishing trip information to be recorded into the electronic reporting system immediately after fishing activities are complete and before returning to the dock or shore. This will improve the accuracy of the data on fishing trips provided through the reports and would allow department representatives to verify the report information more quickly in contacts with licensees.

#### Agency Procedures for Promulgation

Along with a public meeting to present the rule proposals to sport trolling licensees and solicitation of public input during the EIA comment period, the department will hold a public hearing and comment period to gain input on this rule, followed by approval by the Natural Resources Board

#### Description of any Forms (attach copies if available)

The electronic reporting form will be very similar to the existing paper reporting form (attached) in terms of the required information.



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#### Name and Telephone Number of Agency Contacts

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