



MN-WI Border Waters Regulation Review

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Border Water Regulation History

Photo: Anglers fishing on float below LD8 (Genoa, WI) Sept 28, 1962

MN/WI Mississippi Border Water Regulations

- Minimal changes to Length and Bag Limits in the last 50 years
- Recent seasonal changes for Flathead Catfish and Lake Sturgeon
- Typically allow more harvest than either states inland regulations
- MN DNR prefers joint efforts between the states to maintain regulation consistency
- MN DNR favors a comprehensive regulations review for ALL species

Species	Current Bag Limit	In effect since	Notes
Northern Pike	5	1949	bag of 8 in 1948
White Bass	25	1948	bag of 10 in 1947
Sunfish	25	1942	bag of 15 in 1941
Yellow Perch	25	1978	unlimited bag in 1977
Crappie	25	1942	bag of 15 in 1941
Bass	5	1949	bag of 6 in 1948
Walleye/Sauger	6	1956	Bag of 8 combined in 1955

Species	Current Length Limit	In effect since	Notes
Northern Pike	none	1955	16" min prior to 1955
White Bass	none	1947	10" min prior to 1947
Sunfish	none	1946	5.5" min in 1945
Crappie	none	1946	7" minimum in 1941-45
Bass	14" min	1990	No min length 1950-89, 10" min in 1950
Walleye	15" min	1990	No min length 1946-89, 13" min in 1945

Note: Dates and regulations taken from historical copies of Minnesota fishing regulations books

As indicated by the slide text and tables one of the primary reasons for a regulation review on the Mississippi River portion of the MN/WI border waters is the numerous decades most of these regulations have been in place without review.

Over the last several decades changes in management strategy, angler behavior (increasing popularity of catch and release), and rapidly changing technology (boats and electronics) have led both MN and WI to adjust their inland regulations (generally becoming more restrictive) numerous times.

The MN DNR and WI DNR feel that we need to work together to maintain regulation consistency, but that we owe it to our anglers and resource to review these regulations.

Often regulations review and change come as a result of a crash or other major problem with a fish population.

In the case of the border waters coordinated quick action is difficult. Therefore we are striving to **proactively** look at regulations to protect the quality of our fishery in the coming decades as it faces potential impacts of invasive species like (Silver, Bighead, and Black Carp), environmental changes associated with climate change

such as altered hydrography (winter floods, summer floods, early spring melt), higher maximum summer temperatures (potential summer kill), or milder winters (increased survival of Gizzard Shad), and continued changes in angler use and technology.

Timeline

- Fall/Winter 2017
 - Agreement between state DNRs to pursue a regulation review.
 - WI DNR develops preliminary questions for 2018 Conservation Congress seeking public support for review (pages 13 & 14 in document linked below or see slides 6 and 7)
 - http://dnr.wi.gov/About/WCC/Documents/spring_hearing/2018/2018SpringQuestionnaire.pdf
- Spring 2018
 - Assuming approval from WI Conservation Congress.....
 - Public meetings will be held at ~7 locations to collect public input on:
 - Public concerns about particular species or current regulations
 - Regulation types the public would support and for what species

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Timeline

- Summer/Fall 2018
 - State DNR staff analyze input from public meetings and biological data for each species to determine if regulation changes are appropriate
 - For each species where appropriate proposed regulations will be developed
 - WI DNR must develop any proposals generated into questions for the Spring 2019 Conservation Congress questionnaire for public approval
 - MN DNR begins rulemaking process with specific regulation proposals
- Spring 2019
 - Any proposed regulation approved by the WI Conservation Congress can move into Wisconsin's rulemaking process
 - Continuation of rulemaking process in MN
- Spring 2020
 - Earliest possible implementation for any new regulations
 - Complications in the process for either state would likely result in delayed implementation to maintain regulation continuity across the river

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2018 WI Spring Conservation Congress Question 3

QUESTION 3: Review panfish regulations on the Mississippi River

Mississippi River panfish regulations have not been revised in many years and may not provide adequate protection or distribution of harvest among anglers. Currently, Wisconsin allows harvest of 75 panfish in total per day; 25 yellow perch, rock bass, and crappie; 25 bluegill and pumpkinseed; and 25 white and yellow bass per day. The possession limit is twice the daily bag limit for all species listed.

Minnesota allows harvest of up to 125 panfish in total per day; 25 crappie, 25 rock bass, 25 sunfish (bluegill, pumpkinseed and hybrids), 25 yellow perch, and 25 white or yellow bass per day. The possession limit is the same as the daily bag limit for each species.

Iowa allows harvest of 25 bluegill, crappie and pumpkinseed, 25 yellow bass, white bass, rock bass, and hybrid (wiper bass), 25 yellow perch with no closed season. Possession is twice the daily bag for all three categories of fishes (75 panfish total).

The Wisconsin, Minnesota, and Iowa natural resources departments are all interested in simplifying, unifying, and reducing the total daily bag limit for panfish species (bluegill, pumpkinseed, hybrid bluegill, yellow perch, rock bass, crappie); and white and yellow bass and hybrids on the Mississippi River and border waters. Specific recommendations from this project would be topics of spring hearing voting again prior to adoption by the department.

3. Do you support an effort by the department to develop panfish regulations for the Mississippi River that are consistent between the states, more simple than current rules, and with a lower bag limit than under current rules? 3. YES ___ NO ___

http://dnr.wi.gov/About/WCC/Documents/spring_hearing/2018/2018SpringQuestionnaire.pdf

2018 WI Spring Conservation Congress Question 4

QUESTION 4: Review gamefish regulations on the Mississippi River

In recent years, department personnel from Iowa, Minnesota and Wisconsin have heard from the public that regulations for gamefish in the Mississippi River need to be changed to reflect current trends in angler attitude, habitat, fish populations and environment. Mississippi River fishing regulations have not been revised or reviewed comprehensively by all the surrounding states in more than 20 years. For example, the year-round fishing season was established in 1968 and minimum size limits for bass and walleye were established in 1990.

A joint review of regulations could result in recommendations that are more in line with angler expectations, consistent between the states, and proactive in protecting larger predators which are important in the native fish community as invasive carp ranges expand.

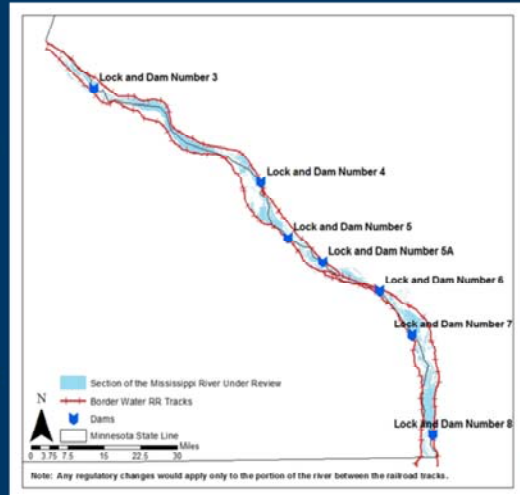
Specific recommendations from this project would be topics of spring hearing voting again prior to adoption by the department.

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4. Do you support an effort by the department to develop gamefish regulations for the Mississippi River that are consistent between the states, reflect current angler interests, and which may protect larger predators? 4. YES ___ NO ___
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http://dnr.wi.gov/About/WCC/Documents/spring_hearing/2018/2018SpringQuestionnaire.pdf

Regulation Considerations

- If regulation changes are deemed appropriate by the review....
 - Are inland regulations from either state (or a modification of) a good fit for the border waters?
 - Continuity of regulations between states will be maximized
 - Potential to investigate a pool to pool split in regulations
 - Eg. Separate regulations above and below Lock & Dam 4



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Regulation Types

- Bag Reductions
- Aggregate Bag Limits
 - Possibly with no more than x number of a particular species
- Minimum Size Limit
- Maximum Size Limit
- Protected Slot Limits
- Harvest Slot Limits

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This is not a comprehensive list of regulation types, but does represent the regulations either in effect on the border waters or suggested as potential regulations to be implemented.

Bag reductions -- can reduce harvest or distribute harvest across anglers. If the goal is to reduce harvest with bag limit reductions alone they are often required to be lower than the average person might suspect because most anglers do not harvest a limit on every trip. For a system/species where bag limits are frequently harvested this may have a greater effect.

Aggregate Bag Limits – are often used for closely related or associated species (in MN Walleye and Sauger, or Panfish (Bluegill, Pumpkinseed, etc.). It can simplify regulations, and particularly when used with a single species limit eg. Rainy Lake in northern Minnesota has a Walleye and Sauger limit of 8 not more than 4 of which can be Walleye. Additional uses of aggregate bag limits include the inland panfish regulation in Wisconsin.

Minimum Size Limit – used to protect smaller individuals of a species (often to a critical life stage or desired minimum harvest size). Walleye (15”), Smallmouth Bass (14”), and Largemouth Bass (14”) are the primary species where this

regulation is currently in place on the relevant portion of the border waters. In highly harvested systems or slow growing species can lead to a “cropping” effect where fish are harvested as soon as they cross this size.

Maximum Size Limit – used to protect individuals once they have reached a particular size (can protect mature females or trophy individuals). Focuses pressure on typically more numerous smaller/younger fish. Consideration should be given to differential effects on males vs females due to often differing growth rates and maximum sizes.

Protected Slot Limit – a regulation that protects fish within a certain length range from harvest and is often combined with a one over regulation. This combination focuses most of the harvest on the typically more numerous smaller/younger individuals in a population, while protecting larger ones for a period of time determined by the maximum end of the slot. This protection typically is designed to coincide with sexual maturity and thus protect spawning individuals (particularly females) for a number of years. The one over component still allows for trophy harvest potential, but distributes that across anglers. Again, consideration should be given to differential effects on males vs females due to often differing growth rates and maximum sizes that might tend to concentrate pressure disproportionately on males that may stay below the bottom end of the protected slot.

Harvest Slot Limit – a regulation that focuses harvest on a narrow size window and typically protects all individuals above or below that window. This regulation protects both young fish allowing them to achieve a critical life stage or desired minimum harvest size, and protects older larger fish to maintain spawners or trophy capacity in the system. Minnesota uses a harvest slot in its Lake Sturgeon harvest seasons on the border with Canada. This protects these extremely long lived fish during most of their life, and exposes them to harvest during the time they are growing through a 45”-50” length harvest window.



Common Proposed Mississippi River Walleye Regulations

Because this presentation is to the Walleye Searchers I will go into a bit more detail on types of regulations we hear about from members of the public related to our Mississippi River Walleye.

I have included additional notation text for the discussion of the Iowa Walleye regulation because of its complexity. The remainder of the regulation slides speak for themselves. If anyone has questions feel free to contact me directly.

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Protected Slot Limit - PSL

- In place on a number of large lakes in northern Minnesota
- Purpose
 - Protect spawning age/size fish to ensure adequate reproduction
 - Shift pressure to smaller (typically more abundant) individuals
 - In Minnesota typically allows for trophy harvest via a 1 over regulation
- Generally fast growth and short lifespans of Mississippi River Walleye may make this a difficult option to fit appropriately to the population.

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One Over Option

- Allow a single individual over a set length to be harvested with the remainder of the bag required to be below the set length
 - Statewide MN Walleye regulation - Only 1 harvested Walleye from the bag limit of 6 to be over 20"
- Allows for trophy harvest and incidental harvest of deep hooked fish
- Minimizes exploitation of a hot big fish bite
- Easy to understand and enforce
- Allows some harvest across all sizes/year classes while focusing most harvest on typically more abundant smaller/younger walleyes

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Questions?

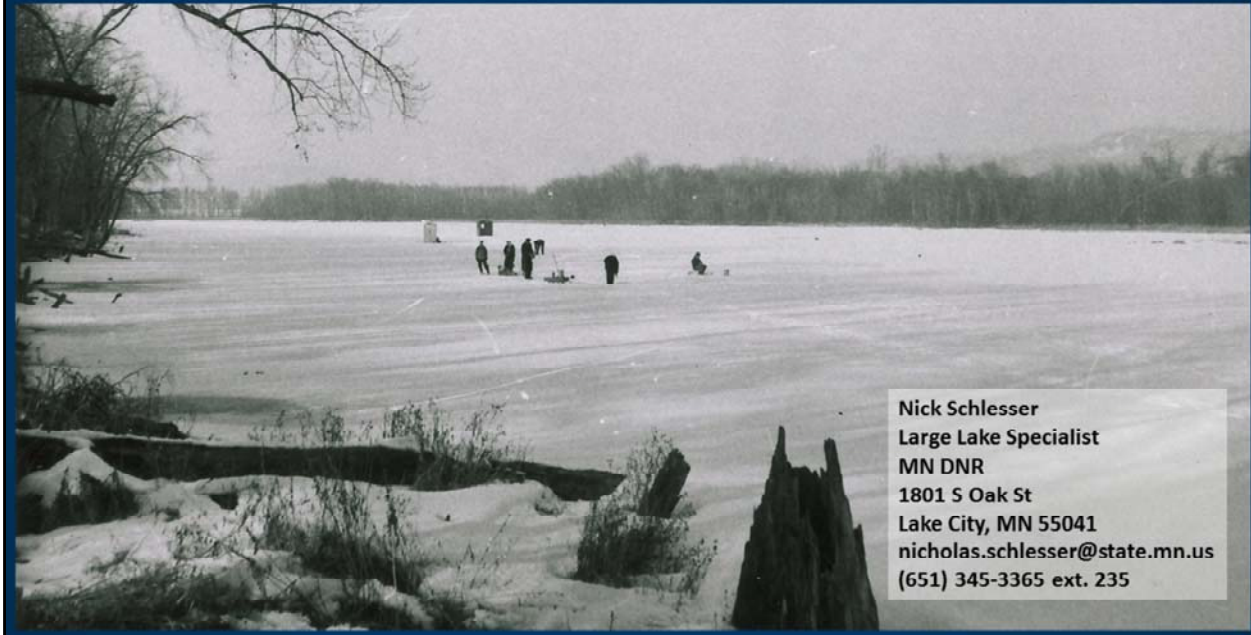


Photo of a group of anglers ice fishing on Clear Lake in Pool 5 circa 1962.