

BEFORE THE  
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PUBLIC HEARING  
FH-55-04

NOTICE IS HEREBY GIVEN that pursuant to ss. 29.014(1), 29.403, 29.4035 and 227.11(2), Stats., interpreting ss. 29.014(1), 29.403 and 29.4035, Stats., the Department of Natural Resources will hold a public hearing on amending s. NR 20.40(6)(d) and creating s. NR 20.40((am) and (d) and (6m), Wis. Adm. Code, relating to bass fishing tournaments. The passage of 2003 Wisconsin Act 249 requires the Department to promulgate rules to establish a program to authorize and regulate fishing tournaments. In addition, Act 249 establishes a bass fishing tournament pilot program that creates a study in which the sorting/culling of bass by tournament anglers in 4 permitted bass tournaments per year is allowed and the impacts evaluated. Act 249 requires that the Department create, by rule, live well standards that all pilot program boats must meet to be considered for the program. Recommended live well standards include:

1. The live well must be an original manufactured part of the boat and have a capacity of at least 25 gallons;
2. The live well must be in working condition and its operation must be demonstrated prior to fishing in the tournament;
3. The live well must be capable of continuously pumping freshwater into it;
4. The live well must be capable of holding, recirculating and aerating water.

The pilot program and the live well standards sunset on December 31, 2006.

In addition, based on public comments, the Department may make additional changes to existing tournament rules, including but not limited to allowable length of tournaments, to accommodate the 2 year pilot tournament program.

NOTICE IS HEREBY FURTHER GIVEN that pursuant to s. 227.114, Stats., it is not anticipated that the proposed rule will have an economic impact on small businesses. The Department's Small Business Regulatory Coordinator may be contacted at [SmallBusinessReg.Coordinator@dnr.state.wi.us](mailto:SmallBusinessReg.Coordinator@dnr.state.wi.us) or by calling (608) 266-1959.

NOTICE IS HEREBY FURTHER GIVEN that the Department has made a preliminary determination that this action does not involve significant adverse environmental effects and does not need an environmental analysis under ch. NR 150, Wis. Adm. Code. However, based on the comments received, the Department may prepare an environmental analysis before proceeding with the proposal. This environmental review document would summarize the Department's consideration of the impacts of the proposal and reasonable alternatives.

NOTICE IS HEREBY FURTHER GIVEN that the hearing will be held on:

November 11, 2004      Gathering Waters Room, South Central Region Hdqrs., 3911 Fish Hatchery  
Thursday              Road, Fitchburg              at 7:00 p.m.

NOTICE IS HEREBY FURTHER GIVEN that pursuant to the Americans with Disabilities Act, reasonable accommodations, including the provision of informational material in an alternative format, will be provided for qualified individuals with disabilities upon request. Please call Pat Schmalz at (608) 266-8170 with specific information on your request at least 10 days before the date of the scheduled hearing.

The proposed rule may be reviewed and comments electronically submitted at the following Internet site: <http://adminrules.wisconsin.gov>. Written comments on the proposed rule may be submitted via U.S. Mail to Mr. Pat Schmalz, Bureau of Fisheries Management and Habitat Protection, P.O. Box 7921, Madison, WI 53707. Comments may be submitted until November 18, 2004. Written comments whether submitted electronically or by U.S. Mail will have the same weight and effect as oral statements presented at the public hearings. A personal copy of the proposed rule and fiscal estimate may be obtained from Mr. Schmalz

Dated at Madison, Wisconsin \_\_\_\_\_

STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES

By \_\_\_\_\_  
Scott Hassett, Secretary