

118TH CONGRESS  
2D SESSION

# H. R. 7037

To amend the Endangered Species Act of 1973 to exclude certain populations of the lake sturgeon from the authority of such Act.

---

## IN THE HOUSE OF REPRESENTATIVES

JANUARY 18, 2024

Mr. GALLAGHER (for himself and Mr. GROTHMAN) introduced the following bill; which was referred to the Committee on Natural Resources

---

## A BILL

To amend the Endangered Species Act of 1973 to exclude certain populations of the lake sturgeon from the authority of such Act.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Sturgeon Protected  
5 and Exempt from Absurd Regulations Act” or the  
6 “SPEAR Act”.

7 **SEC. 2. EXCLUSION OF CERTAIN POPULATIONS OF LAKE**

8 **STURGEON UNDER ENDANGERED SPECIES**

9 **ACT OF 1973.**

10 (a) FINDINGS.—Congress finds the following:

1           (1) The lake sturgeon (*Acipenser fulvescens*)  
2 holds a special place in the cultural fabric of Wis-  
3 consin, especially for the communities located on  
4 Lake Winnebago and the Winnebago System.

5           (2) Through the staunch dedication and close  
6 public-private collaboration of the Wisconsin Depart-  
7 ment of Natural Resources, Sturgeon for Tomorrow,  
8 the Sturgeon Advisory Committee, the Sturgeon  
9 Guard, and local fishing, sportsmen, and conserva-  
10 tion groups, Wisconsin has become the global leader  
11 in lake sturgeon management.

12           (3) As a result of these efforts and the develop-  
13 ment and implementation of a comprehensive man-  
14 agement plan, the Lake Winnebago system is home  
15 to a thriving lake sturgeon population, one of the  
16 largest in North America, and the most successful  
17 sustainable sturgeon fisheries in the world.

18           (4) An integral component of this management  
19 plan is the annual sturgeon spearing season that is  
20 meticulously managed and provides the data nec-  
21 essary, along with data from detailed spawning as-  
22 sessments, to maintain an accurate account of popu-  
23 lation levels needed and allowable maximum harvest  
24 rates to ensure the health and sustainability of the  
25 species.

1           (5) Mandatory registration stations are estab-  
2           lished to collect detailed data on the length, weight,  
3           sex, and tag status of each harvested fish and en-  
4           sure strict seasonal harvest caps are followed.

5           (6) The spearing season has grown into a  
6           unique cultural event filled with strong traditions  
7           and community ties, drawing participants from  
8           throughout Wisconsin and many other States, and is  
9           crucial to the livelihoods of local communities and  
10          small businesses near the Winnebago System who  
11          rely on the annual season.

12          (7) It is vital that this long-standing and cher-  
13          ished tradition be protected and that Wisconsin is  
14          allowed to continue its successful Winnebago System  
15          and statewide management of lake sturgeon.

16          (b) EXCLUSION FROM LISTING.—Section 4(a) of the  
17          Endangered Species Act of 1973 (16 U.S.C. 1533(a)) is  
18          amended—

19                 (1) in paragraph (1), by striking “The Sec-  
20                 retary shall by regulation” and inserting “Except as  
21                 provided in paragraph (4), the Secretary shall by  
22                 regulation”; and

23                 (2) by adding at the end the following:

24                 “(4) APPLICABILITY TO LAKE STURGEON.—The Sec-  
25                 retary may not make a determination under this sub-

1 section that any population of the lake sturgeon  
2 (*Acipenser fulvescens*) in Wisconsin is threatened or en-  
3 dangered.”.

○