

NR 25

State of Wisconsin

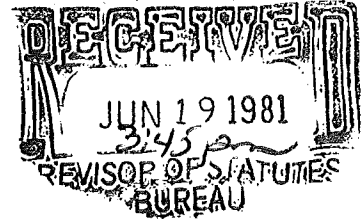
DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

BOX 7921
MADISON, WISCONSIN 53707

IN REPLY REFER TO: _____

STATE OF WISCONSIN)
)
DEPARTMENT OF NATURAL RESOURCES) SS



TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Carroll D. Besadny, Secretary of the Department of Natural Resources and custodian of the official records of said Department, do hereby certify that the annexed copy of Lake Michigan Commercial Fishing Board Order No. LMCFB-1-81 was duly approved and adopted by the Lake Michigan Commercial Fishing Board on April 27, 1981. I further certify that said copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at General Executive Facility #2 in the City of Madison, this 19th day of June, 1981.

Carroll D. Besadny
Carroll D. Besadny, Secretary

(SEAL)

8-1-81

ORDER OF THE STATE OF WISCONSIN
LAKE MICHIGAN COMMERCIAL FISHING BOARD
REPEALING AND RECREATING RULES

.....
IN THE MATTER of repealing and
recreating section NR 25.07(2)(a)1. LMCFB-1-81
of the Wisconsin Administrative Code
pertaining to chub quotas for commercial
fishing of Lake Michigan
.....

Analysis Prepared by Department of Natural Resources

This rule repeals and recreates s. NR 25.07(2)(a)1, Wis. Adm. Code to provide new criteria for allotting individual chub quotas for Lake Michigan commercial fishers. The rule increases the maximum an individual may catch and accommodates a greater number of fishers at the maximum catch level. The rule provides discrete criteria for chub fishers in northern and southern chub fishing areas.

Pursuant to authority vested in the Lake Michigan Commercial Fishing Board by ss. 15.341, 15.345, 29.33(7), and 227.014, Stats., the Lake Michigan Commercial Fishing Board hereby repeals and recreates rules interpreting s. 29.33(7), Stats., as follows:

SECTION 1 - Section NR 25.07(2)(a)1. is repealed and recreated to read:

1. 'Chubs'. a. Lake Michigan chub permits shall be issued to all applicants meeting the following criteria:
- 1) Presently licensed commercial fishers;
 - 2) Ownership of a boat 35 feet in overall length or longer;
 - 3) The boat shall be equipped with a powered net lifter.

b. All fishers meeting the criteria in subpar. a. shall be eligible for entry upon application with the following limitations;

1) In those waters commonly referred to as the southern chub fishing area, no more than 400,000 pounds of chubs may be harvested during each of the 3-month periods encompassed by the months of July, August and September, the months of October, November and December, and the months of April, May and June respectively.

2) In those waters commonly referred to as the northern chub fishing area, no more than 100,000 pounds of chubs may be harvested during each of the 3-month periods encompassed by the months of July, August and September, and the months of October, November and December respectively.

3) Should the remaining allowable harvest as of December 31 exceed 1/3 of the annual allowable harvest, the excess portion shall be allotted to all permittees who reported fishing for chubs during the license year on a pro rata basis, based on their individual reported catches during the period July 1 through December 31.

4) No more than 3 1/2% of the total quota may be taken by any one vessel or licensee during the license year.

5) In those waters commonly referred to as the southern chub fishing area no permittee may take more than 40% of the maximum established in subpar. b. 4) during any 3-month fishing period.

c. Each permit holder shall submit weekly reports on forms provided by the department. The weekly reports shall be mailed to the department at the address provided on the forms and shall be postmarked no later than the following Monday during the open season.

d. The department shall notify all permit holders to cease fishing upon receipt of information that 85% of the 3-month quota as established in subpar. b. 1) and 2) has been harvested except that all nets in the water shall be lifted under s. NR 25.08(2)(a)9., and fish therein harvested.

e. The quota for the following 3-month period shall be adjusted based on the actual reported catch of the previous 3-month period.

The foregoing rules were approved and adopted by the Lake Michigan Commercial Fishing Board on April 27, 1981

The rules contained therein shall take effect as provided in s. 227.026(1)(intro.), Stats.

Dated at Madison, Wisconsin June 18, 1981

LAKE MICHIGAN COMMERCIAL FISHING BOARD

By

Carroll D. Besadny
Carroll D. Besadny, Secretary
Department of Natural Resources

(SEAL)



State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

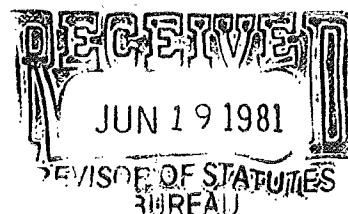
BOX 7921

MADISON, WISCONSIN 53707

June 19, 1981

IN REPLY REFER TO: 1020

Mr. Orlan L. Prestegard
Revisor of Statutes
411 West
C A P I T O L

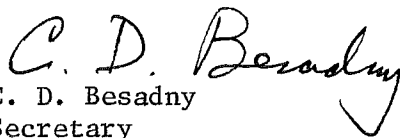


Dear Mr. Prestegard:

Enclosed are two copies, including one certified copy, of State of Wisconsin Lake Michigan Commercial Fishing Board Order No. LMCFB-1-81. These rules were reviewed by the Assembly Committee on Environmental Resources and the Senate Committee on Agriculture and Natural Resources pursuant to s. 227.018, Stats. There were no objections.

You will note that this order takes effect following publication. Kindly publish it in the Administrative Code accordingly.

Sincerely,


C. D. Besadny
Secretary

Enc.