

CR 87-36

State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

BOX 7921
MADISON, WISCONSIN 53707

File Ref:

STATE OF WISCONSIN)
)
DEPARTMENT OF NATURAL RESOURCES)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Bruce B. Braun, Deputy Secretary of the Department of Natural Resources and custodian of the official records of said Department, do hereby certify that the annexed copy of Natural Resources Board Order No. FM-12-87 was duly approved and adopted by this Department on August 27, 1987. 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 here-
unto set my hand and affixed the
official seal of the Department at
the Natural Resources Building in
the City of Madison, this 20th
day of October, 1987.


Bruce B. Braun, Deputy Secretary

(SEAL)

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1-1-88

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD
AMENDING AND CREATING RULES

.....
IN THE MATTER of amending ss. NR 25.01(3)(intro.) .
and 25.06(1)(a)1. to 3.; and creating .
s. NR 25.105(3) of the Wisconsin Administrative .
Code pertaining to commercial fishing .
on Lake Superior .
.....

FM-12-87

Analysis Prepared by Department of Natural Resources

The rules are promulgated under the authority of ss. 29.085, 29.174(2)(a), 29.33, and 227.11(2)(a), Stats., and interpret ss. 29.085 and 29.174(2)(a), Stats.

The proposed rules revise the commercial fishing quotas for lake trout, and tribal fishing for walleye in Lake Superior. These rules implement the remaining portions of the agreement between the Department and the Red Cliff and Bad River bands of Lake Superior Chippewas, ratified on September 18, 1986. The specific changes include:

1. Recognize the existence of the agreement in the jurisdictional provision.
2. Change the commercial fishing quotas for lake trout to 15,000 fish annually for state commercial fishers and 43,000 fish annually for tribal commercial and home use fishers.
3. Permit Red Cliff fishers to harvest 5,000 pounds (round weight) of walleye annually from within the restricted areas west of Bark Point and east of a point one mile west of Port Wing.

SECTION 1. NR 25.01(3)(intro.) is amended to read:

NR 25.01(3) The Except as modified by an agreement with the tribe of the treaty fisher, the following sections of this chapter are applicable to treaty fishers in the Wisconsin waters of Lake Superior:

SECTION 2. NR 25.06(1)(a)1. to 3. are amended to read:

NR 25.06(1)(a)1. The total allowable commercial and home use harvest in the waters of Lake Superior east of Bark Point may not exceed ~~39,000~~ 58,000 lake trout during the open season.

2. That number of lake trout to be harvested by non-Indian licensed commercial fishers from the waters of Lake Superior east of Bark Point may not exceed ~~13,000~~ 15,000 lake trout during the open season.

3. That number of lake trout to be harvested by the Red Cliff and Bad River bands, including both commercial and home use fishers, from the waters of Lake Superior east of Bark Point may not exceed ~~26,000~~ 43,000 lake trout during the open season. The Red Cliff and Bad River bands shall inform the department of the extent and method of the allocation between commercial and home use fishers. If the Red Cliff and Bad River bands do not reach an agreement on the method of allocating the tribal quota between them, the department may divide the quota 26.5% for the Bad River band and 73.5% for the Red Cliff band.

SECTION 3. NR 25.105(3) is created to read:

NR 25.105(3) Red Cliff treaty fishers may harvest 5,000 pounds (round weight) of walleye annually within the restricted areas west of Bark Point and east of a point one mile west of Port Wing.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on August 27, 1987.

The rules shall take effect on the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22(2)(intro), Stats.

Dated at Madison, Wisconsin

October 20, 1987

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By Carroll D. Besadny
Carroll D. Besadny, Secretary

(SEAL)
5896I



State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

BOX 7921
MADISON, WISCONSIN 53707
1020

File Ref:

October 20, 1987

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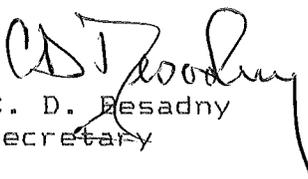
Mr. Orlan L. Prestegard
Revisor of Statutes
Suite 702
30 W. Mifflin Street

Dear Mr. Prestegard:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. FM-12-87. These rules were reviewed by the Assembly Committee on Natural Resources and the Senate Committee on Transportation, Tourism and Conservation pursuant to s. 227.19, Stats. A summary of the final regulatory flexibility analysis and comments of the legislative review committees is also enclosed.

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

Sincerely,


C. D. Besadny
Secretary

Enc.