

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary

101 S. Webster St.
Box 7921
Madison, Wisconsin 53707-7921
Telephone 608-266-2621
FAX 608-267-3579
TTY 608-267-6897

March 28, 2003

File Ref: H134

Louis Kowieski, President
WF/GLSFC
719 S. 97th St.
West Allis, WI 53214

Subject: NRB Order FH-46-02

Dear Mr. Kowieski:

Thank you for your letter regarding Natural Resource Board Order FH-46-02. This week the Natural Resources Board approved evening hearings on the revised rule. The hearings will be held in mid May, with one hearing to be held in Milwaukee and the other in Cleveland. I will ask my staff to let you know the dates and specific locations when that information is available. I will also have your letter placed in the hearing record, and ask my staff to consider the points you raise. When and if the rule is presented to the Natural Resources Board for adoption, your points will be discussed in the background materials that the Board receives.

I would stress to you that the revised rule does not reflect a "new deal . . . cut by members of WDNR and/or the 3 Commercial Fishermen in question", as your letter states. We do not cut deals. The rule making process is open and transparent.

The Department receives the following direction from Chapter NR 1 of the Administrative Code:

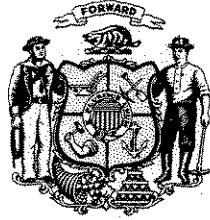
NR 1.01(2) The goal of fish management is to provide opportunities for the optimum use and enjoyment of Wisconsin's aquatic resources, both sport and commercial. . . .

This means that we are obliged to consider the needs of commercial fishers as well as sport fishers. In the case of this rule we are trying to find a middle ground that provides reasonable commercial whitefish trap netting opportunities while also allowing our wonderful salmon and trout fishery to continue to prosper. It may be that there is no such middle ground, and in that case we will drop the rule (although in all likelihood we will ask the NRB to adopt the net-marking requirements). On the other hand, full consideration of all arguments may indicate that the current proposal is a good one.

Sincerely,

Scott Hassett
Secretary

cc: Natural Resources Board
Todd Ambs - AD/5
Mike Staggs - FH/3



1st Senate District
State Capitol • PO Box 7882
Madison, WI 53707-7882

Alan Lasee

Senate President

Tel 608 266 3512
Fax 608 267 6792

email: sen.lasee@legis.state.wi.us
web: www.legis.state.wi.us/senate/sen1/news/

June 23, 2003

The Honorable Neal Kedzie
Chairman
Senate Committee on Environment
and Natural Resources
Room 313 South

Dear Chairman Kedzie:

This letter is concerning Clearinghouse Rule 02-143, relating to commercial fishing in Lake Michigan. The rule was referred to your committee June 12, 2003.

The whitefish season in Two Rivers and Sheboygan (Zone 2) is about 9 weeks in length and commercial fishermen are allowed to only use trap nets. They are given a whitefish quota, but have not reached it in years because they are required to pull their nets during the summer.

CR 02-143 will allow several of my constituents – two full-time and one part-time fishermen – to leave their trap nets in the Lake Michigan waters outside of Two Rivers from June 28th until Labor Day. The area they fish comprises only .1 percent of 200 miles of shoreline. I believe Lake Michigan is big enough for both commercial fishermen and sports fishermen.

CR 02-143 has gone through an extensive review by the Department of Natural Resources. If you do not wish to waive the committee's 30-day review period, I am requesting a hearing on the rule as soon as possible. Thank you for your attention to my request.

Sincerely,

ALAN J. LASEE
State Senator
1st Senate District

Harbor UN/LTD

Allan Forst Geimer
Natural Resources Consultant

1702 East Street
Two Rivers, WI 54241
Phone: 920-553-7000

June 23, 2003

Senator Neal Kedzie, Chairman
FAX: 608-282-3551

Dear Senator Kedzie:

There comes a time when representatives voted into office need to vote with their conscience ensure fair treatment of all the people they represent. That's what a democracy is all about. However, it is **not** happening with the rules being developed by the DNR for Commercial Fishermen in the Two Rivers area.

Two Rivers' whitefish season is approximately 9 weeks long. *Sturgeon Bay's whitefish season is 11 months long.* Two Rivers can only fish trap nets for whitefish. *Sturgeon Bay can fish trap nets, pond nets, gill nets to harvest whitefish.* *Sturgeon Bay's fishery is only 30 miles north of Two Rivers, drawing from the same stock of whitefish.* Two Rivers fishing area is from Algoma to the Illinois/Wisconsin state line. There are two full-time fishers and one part-time fisher in this distance with approximately 200 miles of shoreline. Trap nets take up less than .1% of this area, leaving 99.9% for sport fishing. *Sturgeon Bay has 16 full-time fishers in approximately 45 miles of shoreline, and they can fish ten time the number of trap nets in the heart of the tourist area.* The rules for Two Rivers are not fair.

The Two Rivers area is very different than most areas because of Rawley Point winds and current (other than summer months). These conditions make it almost impossible for a trap net operation to set and lift their nets in rough seas (spring and fall). That is why they need summer fishery when winds are calmer.

Two Rivers has been asking Bill Horns and Mike Staggs to come to Two Rivers to look at commercial investments, to show them the fishing areas, and explain the real-life problems in operating a fishery. The fishermen have been waiting for the last 13 years, and the two men refuse to come. The DNR local fish managers 7 miles away can't even come to visit or talk over the rule process. Clearing House Rule 02-143, which pertains to 12 nets going to 3 nets, is a fair rule! It allows a summer trap net fishery in the smallest area possible.

It is time to be fair to the commercial fisheries in Two Rivers. The Senate Clearing House Rule 02-143 may not come up for a vote because there are not enough elected representatives to pass it. So, it's being held up by the Environmental and Natural Resource Committee. Over the past months, the Fisheries Forum, the DNR biologist, and Commercial Fisheries have all worked together to arrive at this fair rule that will keep a Wisconsin business in Wisconsin. Please call or e-mail the Environment and Natural Resources Chairperson, Senator Neal Kedzie (fax: 608-282-3551; Email Sen.Kedzie@legis.state.wi.us) that you support Rule 02-143 **because it is fair.**

Respectfully,


Allan Forst Geimer



STATE REPRESENTATIVE
Garey Bies
1ST ASSEMBLY DISTRICT
COMMITTEE ON CORRECTIONS AND THE COURTS

JUN 20 2003

June 20, 2003

Sen. Neal Kedzie
313 South, State Capitol
Madison, WI 53708

Dear Sen. Kedzie:

Thank you for your interest in my concerns with Clearinghouse Rule 02-143, relating to commercial netting. My concerns pertain to the motives of the players in what has become a soap opera. I view this as an effort by the "sport" fisherman to drive the commercial fisherman out of business in the Two Rivers area. The commercial fishermen have indicated the area they need and want to fish occupies 1/10th of 1% of the lake. Personally, I bet it is less area than that.


For this contested area, the prime fishing time is also the least dangerous time and spans from mid-June through August. The ability to fish during this time means the difference between hardly meeting expenses and turning a profit. You must have a profit to sustain the struggling industry.

The commercial fishermen are fishing for whitefish. The contract, or sport fisherman are fishing for salmon and trout. You would think with a lake so large, both interests could work their differences out. They do in Door County, which has more shoreline, more nets and more fisherman than any other county, without the problems. This issue is about the greed of the contract fisherman and nothing else.

I urge you to do whatever is possible to let commercial fishermen retain the ability to try and make a living. The commercial fishermen were fishing the lake long before the contract, or sport fisherman.

Thank you for your attention to this matter. Please feel free to contact me with any other questions you may have.

Respectfully,


GAREY BIES
State Representative
1st Assembly District

cc: Charles Henriksen

First for Wisconsin!

Capitol: P.O. 8952, Madison, WI 53708-8952 • (608) 266-5350 • Fax: (608) 282-3601
Toll-Free: (888) 482-0001 • Rep.Bies@legis.state.wi.us

Home: 2590 Settlement Road, Sister Bay, WI 54234 • (920) 854-2811



Joe Leibham
STATE SENATOR

JUN 23 2003

TO: Members, Senate Committee on Natural Resources

FROM: Patrick Vander Sanden, Office of Senator Leibham

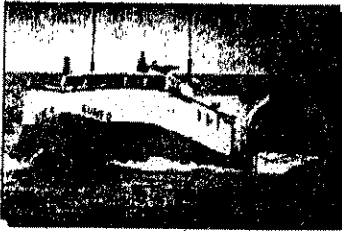
DATE: June 23, 2003

RE: LeClair Packet

Mr. Pete LeClair from Two Rivers faxed us the attached and asked that I get a copy to each of the members of Senate Natural Resources.

Please call with any questions. Thanks.

Patrick.



Central Lake Michigan Commercial Fishing, Inc.

1810 East Street Two Rivers WI. 54241
Phone: 920-794-8434 Fax: 920-793-3263

June 21, 2002

Attention Senate Resource Committee:

Honorable Neal Kedzie & Members of your Committee:

I know you are aware of the problems we have with our trap net fishery in Two Rivers, only because 3 redical people that do not even have a charter boat and they claim they represent all the sport fishers in Wisconsin. They appear at all the public hearings on this issue and tell the DNR they represent thousand of sport fishers and that is not true. When your allowed to give testimony at these hearings you should know all the facts of the problems. These people send post cards to all sport groups in the state asking them to fill out the cards objecting to a summer whitefish season in Two rivers and Sheboygan. Ninety-five per cent of these people don't even know what a trap net is and how much area is needed to have a summer fishery. Women, kids, relatives and etc., all sign these cards and then they tell the legislature how many people object to this summer trap net fishery. These same people also put this question on the state survey questionnaire. Do you object to a summer whitefish trap net fishery in Two Rivers and Sheboygan???

Yes or No. Surely the majority will vote no because of all the false information given them by these same 3 men that also have given the wrong info to the conservation congress and all other agencies. They claim these people support a closure of our fishery in these 2 communities. Just like the Chairman of the Natural Resource Board has told all these sport fishers the way you claim all this support to stop this fishery is not what you call public input into this question and our decisions are made only by good public input, not by high numbers of people you claim object to a summer whitefish season. So, don't be fooled by total numbers that these sport fishers present. As you know the DNR Board approved this summer whitefish season because of good public input from many knowledgeable people and many professional biologist from many universities.

We have had a fishery in Two Rivers for over 165 years and is still one of the biggest fisheries on the West Shore of Lake Michigan. My family has fished out of Two Rivers for over 100 years and I have fished over 55 years and now my 3 sons are trying to make a living Commercial Fishing, but now these selfish sport fishers do not want us to fish at all during

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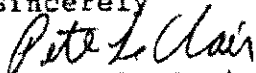
July and August. How do we pay our expenses, maintain a good educated crew and supply our customers with good uncontaminated fresh fish? Remember all these fish belong to every citizen in the state and we are the only people that can supply them with their share of the fish resource.

Neal, we are allowed to fish 12 nets from Labor Day too June 28th. of each year. But due to high winds in the fall and water temperatures that change each year the whitefish do not come into the areas we fish in the spring. So we can start to fish at the end of April and hope the water temperature is correct and the whitefish move into the area so we can set our trap nets. At the present time we have to remove all our nets by June 28, each year. This gives us an eight to nine week season. Between last year and this year we will be approximately 200,000 pounds short of our allocated quota for the 2 1/2 fishing industries in Two Rivers and Sheboygan. We average about \$1 per pound delivered to Chicago. We can't remain a viable fishery with these kind of losses. So we asked the DNR to allow us 6 nets instead of 12 nets, so sport fishers would be satisfied with this net reduction. This went to public hearings, but many sportsmen still objected so we went to public hearings again and the DNR and all other professional agencies totally agreed that we reduce our total nets per fisher to three nets. This is a 2/3 reduction, but now these same sport fishers demand a total net free lake for July and August, which is our best time to fish especially this year, when the whitefish did not show up and were two weeks late because of the cold winter and cold spring. These last 2 weeks we had the best fishing, but now we have to remove our nets because of these selfish sport fishers are stopping us from putting any nets in the water. This is pure discrimination upon one small group put on us by big organized uneducated people, that do not understand that they do not own the lake and there is room for both of us. Our net reduction from 12 nets to 3 surely is showing our willingness to cooperate.

Door County Commercial Fishers are allowed to fish 12 nets all summer and they do not have any problem with their sport fishery and this is in the heavy populated tourist area. We would like to bring tourist into our county and have whitefish boils, like Door County and then all the businesses in our area would benefit. We ask for your full cooperation and vote for this small summer time fishery in our 2 areas, so we can remain a viable fishery and produce these whitefish for the fish consumers.

Thank You in Advance!

Sincerely


Pete Le Clair

Council Manager Government Since 1924



Office of the City Manager
1717 East Park Street
Post Office Box 87
Two Rivers WI 54241-0087
Telephone..... 920/793-5532
FAX..... 920/793-5563

January 28, 2003

William H. Horns
Great Lakes Specialist
Bureau of Fisheries Management
101 S. Webster St.
P.O. Box 7921
Madison, WI 53707-7921

Via Fax: 608/267-7857

FVI
[Handwritten signature]

Dear Mr. Horns:

I am writing in support of the proposed rule change to allow for a summer whitefish fishery off Two Rivers. This rule change could assist our local commercial fishermen in meeting market demand for fresh Lake Michigan fish, and help sustain an historic Two Rivers industry that is struggling to survive in today's regulatory environment.

As you are aware, our community over the years has strived to "strike a balance" between the interests of commercial and sport fishermen. Both industries are important to the local economy, and we believe that both should survive into the future. The commercial fishing fleet is a key part of Two Rivers' working waterfront, and an indigenous tourism resource that we are trying to capitalize upon. The availability of fresh Lake Michigan whitefish for sale to visitors and served up at summer fish boils would be a real boost to the local tourism economy, just as in Door County to our north.

We urge your agency's favorable consideration of this rule change.

Sincerely,

[Handwritten signature of Gregory E. Buckley]

Gregory E. Buckley
City Manager

CC: Dan Pawlitzke, Economic Development Supervisor

Council Manager Government Since 1924



Economic Development
1717 East Park Street
Post Office Box 87
Two Rivers WI 54241-0087
Telephone 920/793-5565
FAX 920/793-5563

January 28, 2003

William H. Horns
Great Lakes Specialist
Bureau of Fisheries Management
101 S. Webster St.
P.O. Box 7921
Madison, WI 53707-7921

Delivered via Fax: 608/267-7857

Dear Mr. Horns:


We are writing in support of the summer Whitefish fishery as indicated herein. The specific location of the area for this fishery could be defined as a course running 145 degrees off the north break wall of the Two Rivers, WI harbor entrance to the parallel line off the Rawley Point Lighthouse out to 150 feet of water.

This area would provide an adequate area to catch the Whitefish during the summer season. I am sure you would agree that the benefit would go to the consumer who can enjoy "fresh" fish for an extended period of time.

The City of Two Rivers works with both the sport and commercial fisheries because our working relationship improves commerce in the area for visitors coming to our area to fish, enjoy our restaurants, stay in our lodging establishments, shop and/or visit our attractions. We need more visitors to our area and this is a step in that direction. While we support commercial fishing we also support sports fishing. By decreasing the area as described herein we could avoid future user conflicts if the commercial fishery takes a pro-active approach to provide notification of the location of the commercial nets at the launch boat sites and marinas.

In the meantime, if you have any questions do not hesitate to contact me at 920/793-5565 or email at danpaw@two-rivers.org We look forward to a timely approval of this rule.

Sincerely,


Dan Pawlitzke
Economic Development Supervisor
Edev/Comm/Fish/Whitefish Support.wpd

Home of the Ice Cream Sundae - Since 1881





**RESOLUTION SUPPORTING FH 46-02, EXTENDING
THE COMMERCIAL TRAP NET SEASON FOR
WHITEFISH**

WHEREAS, the City of Two Rivers is home to both commercial and sport fishermen;
and

WHEREAS, the City has consistently advocated regulation of the Lake Michigan fishery
in a manner that assures the long-term viability of both commercial and sports fishing, while also
protecting Lake Michigan as a resource for drinking water, recreation and other human activities;
and

WHEREAS, such regulation must include time to catch harvest quotas for commercially
viable species and;

WHEREAS, the Wisconsin Department of Natural Resources is currently considering
FH 46-02, a regulation that would extend the commercial trap net season for whitefish in Zone 3
off Two Rivers, thereby allowing time to harvest of this high-food-quality native species; and

WHEREAS, giving commercial fishing time to harvest their quotas would bolster the
economic prospects for Two Rivers' commercial fishing industry, at a time when the harvests of
smelt, chub, and other commercially-viable species are significantly curtailed;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Two
Rivers hereby expresses its support for the adoption of FH 46-02 that would give commercial
fishers time to catch their quotas of fish.

Dated, this 21st day of April, 2003

William P. Mass

Dawn Aschutt
Jelene Stone
A. Munn

Paul F. Meyer
Dorinda J. Campbell
Herb Bunker
Allan Gummer

INTRODUCTION

In 1977 the Wisconsin State Legislature completed a major revision of the commercial fishing regulations. As part of the record the legislature included a section of legislative intent to explain the purpose and intent for the law revisions. The legislative intent for Chapter 418 laws of 1977 is as follows:

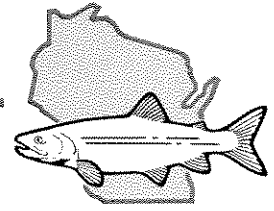
- (d) *Revision of sport trolling and commercial fishing laws; legislative intent 1.* The legislature recognizes that the fish resources and fisheries of this state's outlying waters contribute to the economy, food supply and recreational opportunities for the citizens of this state. The primary responsibility for the protection, development and wise use of these resources rests with the state, which must provide proper management to maintain and develop fish resources and fisheries in the face of increasing demands.
2. The fish resources of the state are capable of being managed scientifically to maintain an adequate and stable resource for all uses. Past management of the Great Lakes has been unable to prevent depletion of the fish resources.
3. The intent of the legislature in revising commercial fishing laws is to provide for multi-use management of the Great Lakes fishery, including an economically viable and stable commercial fishery and an active recreational fishery. To reach this management objective, the legislature recognizes that it may be necessary to limit participation in the commercial fishery and to limit the harvest of commercially fished species through proven scientific management techniques.
4. The intent of this legislation in revising commercial fishing laws is further to assure those persons currently participating in and earning the majority of their income from the fishery the opportunity to continue to do so for a period of 5 years and to further provide those persons with the opportunity to demonstrate their intent to meet criteria established by the commercial fishing boards for continued fishing in an orderly transition from the fishery as presently administered.

The legislative intent gives guidance to the citizens of the state and to the department on the intent and purpose of the commercial fishing laws. In the first paragraph the legislature stated, "The primary responsibility for the protection, development and wise use of these resources rests with the state." This statement by the legislature exemplifies why the department has produced this document. It is the department's responsibility to identify the problems and search for solutions that will provide protection and ensure wise use of the fishery resource.

Two recent undercover commercial fishing investigations involving the illegal harvest of lake perch have shown that Great Lakes fishery resources are not being adequately protected. A brief review of recent investigations gives insight into the magnitude of the existing problems and feeling for the type of changes that need to be made. The investigations revealed the existence of numerous conspiracies between commercial fishers and wholesale and retail buyers to violate state commercial fishing laws. The use of sophisticated schemes to hide illegal perch sales made detection and tracking of illegal perch difficult, and in many instances, impossible for law enforcement. For instance, the parties to the illegal transactions used fictitious identities, conducted cash transactions not reflected on books and records of the corporations, forged and destroyed invoices, laundered proceeds, and conducted counter surveillance when catching or selling perch. In most instances terms of

- Copy -

**Wisconsin Federation
of Great Lakes
Sport Fishing Clubs**



July 4, 2003

Senator Alan J. Lasee
1st Senate District
Room 109 South
State Capitol, PO Box 7882
Madison, WI 53707-7882

Charles C. Weier, VP
358 22nd Street
Two Rivers, WI 54241
920/793-2332
tbitr@aol.com

Dear Senator Lasee:

I have not discussed commercial fishing issues with you for many years. However, now as one of your constituents and as VP of the Wisconsin Federation of Great Lakes Sport Fishing Clubs, I am asking for your support and assistance in our opposition of FH-46-02, (July and August Extension of the Trap Net Season in Zone 3 of Lake Michigan) which will come before the Assembly Natural Resources Committee July 9th, and the Senate Environment and Natural Resources Committee on July 10th of next week. The Season Extension involves two areas of Lake Michigan, one off of Two Rivers & Manitowoc and the other off of Sheboygan, and covers all water from 75 feet to 150 feet in depth.

Present documentation of public testimony presented to the Department of Natural Resources concerning FH-46-02 at this time shows that approximately eight (8) testified in favor of the extension while one thousand four hundred and eleven (1411) testified against the proposal. Along with our Federation, the Wisconsin Wildlife Federation, Northeastern Wisconsin Great Lakes Sport Fishermen, Manitowoc County Fish & Game, Green Bay Area Great Lakes Sport Fishermen, as well as Conservation Congress, plus many other sporting groups and charter captains associations have taken a strong stand against the extension proposal. Although there are many reasons for our opposition to the FH-46-02 Trap Net Season Extension, following are three of our primary concerns regarding the issue:

- 1) First, there currently is a Rule in place which was agreed to by the three trap net fishers of Zone 3 to remove their nets by June 28th, in order to avoid conflict and insure safety factors during the July and August peak Sport and Charter fishing season. The Sport and Charter Fishermen are not the cause of the present conflict, as the three commercial trap net fishers of Zone 3 are the ones who have breached their contract which originated in 1989 as FH-40-88, and established closure of the Zone 3 Season by Memorial Day. The Rule was later amended in 1994 to extend the season to June 28th at which time all nets had to be removed from the water. Nothing has changed since 1994 except that the three Zone 3 trap net fishers have purchased additional quotas, but that was their business decision. A QUOTA IS NOT A GUARANTEE TO CATCH FISH, and private business decisions have no priority in changing existing rules that were promulgated by sound reasoning.

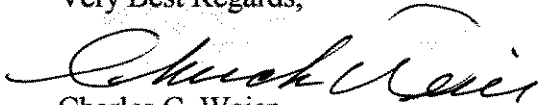
Dedicated to the preservation and improvement of sport fishing in the Great Lakes.

- Copy -

- 2) The Season Extension involves only three Commercial Fishermen in Zone 3. These three Commercial Fishermen have been achieving near full quota catches of whitefish until the past year when only one, Mike LeClair reported a full season quota catch. However, it must be noted that none of the Zone 3 Fishermen are using the Fall Season that is allowed them under the current Rules. It should also be noted at this time that the Whitefish Trap Net Fishermen of Zone 2, to the North, are taking full advantage of their Fall season and are reporting that a large portion of their overall season catch is credited to the Fall Period.
- 3) User Conflict and an accompanying Safety Issue for Sport and Charter Fishers during their peak season are not the only problems created by the proposed Season Extension. The extended season would also cause economic problems for other small businesses in the Manitowoc/Two Rivers and Sheboygan areas, as visiting sport fishermen and charter customers will seek out other ports to fish which are not affected by the infiltration of trap nets in the waters where they have normally fished. Local hotels & motels, restaurant, bars, sporting goods outlets, marinas, gas stations and other related small businesses will all feel the negative effects of the Season Extension. Commercial fish nets and Sport Fishermen do not mix well!

On my behalf Senator Lasee, as well as all of the Sport Fishermen who enjoy fishing the waters of Zone 3, our sincere thanks for your help and consideration and prompt attention to this matter. If you have any questions what so ever please feel free to call me at any time. Also, I do plan to attend both of the hearings next week.

Very Best Regards,



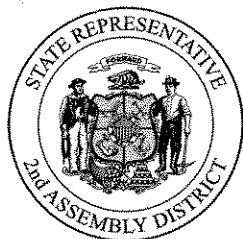
Charles C. Weier
VP/WFGLSFC

P.S. During the 2002 Season Lake Michigan Sport Fishermen fishing only Manitowoc and Sheboygan County waters contributed \$ 395,169.25 in license fees to the State of Wisconsin, while during the same period the Commercial Trap Net Fishers fishing all of Zone 3 contributed only a total of \$ 7,800.00 in license fees to the State of Wisconsin.

Copy: Secretary Scott Hassett WDNR, Sen. N. Kedzie, Sen. J. Leibham, Sen. R. Wirch, Rep. Glenn Grothman, Rep. DuWayne Johnsrud, Rep. Scott Gunderson, Rep. Frank G. Lasee, Tryg Soldberg-NRB Chair, Mike Staggs-DNR, Bill Horns-DNR, Dr. P. Moy- LM Forum, Roy Berres-P/NEWGLSF, Bill. Willis- P/GBGLSF, Dean. Halverson- MCF&G PA, Dale. Mass-GLC/WCC, Frank Herres-GLC/WWF., George Meyer- WWF, Louis. Kowieski- P/WFGLSFC, Mark. Hasenberg-S/WFGLSFC, file

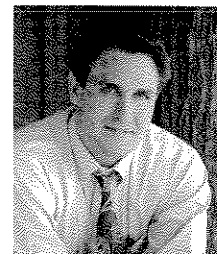
cw/ccw

JUL 06 2003



Frank Lasee

State Representative • 2nd Assembly District



Post Office Box 8952
Madison, Wisconsin 53708-8952
(608) 266-9870
Toll-Free: (888) 534-0002
July 7, 2003

1601 Riverbend Terrace
Bellevue, Wisconsin 54311
(920) 406-9488
Rep.Lasee@legis.state.wi.us

Department of Natural Resources
Scott Hassett
101 S. Webster
Madison, WI 53707-7921

Senator Neil Kedzie
313 South, State Capitol

Dear Secretary Hassett,

I am forwarding a letter that was sent to our office by a business owner in Two Rivers. He makes some very good points that I think should be considered when the issues between the sports fishermen and the commercial fishermen are decided.

Two Rivers is experiencing a depressed economy. The fact that the commercial fishermen have had to pull their nets out of the waters for the summer season, even though NR-25 had promised them that they could fish this summer, could further hinder their economy. Businesses suffer, not just the commercial fishermen, but also the restaurants that count on fresh fish for their Friday Night Fish Fry. If consumers are not given fresh fish, the businesses will suffer and potential layoffs will occur as business drops off.

The second point that he brings up is that the commercial fishermen have been using nets for more than 50 years with no harm to anything. The commercial fishermen around Two Rivers are only asking for 1/10th of 1% of the entire lake and their nets are well marked. There should be plenty of room for all types of fishermen to co-exist.

Also enclosed are articles from a recent Northeast Sport Fishermen Derby. These articles point out that the only place that fish were caught was in 300 ft of water and 8 miles out – parts of the lake that the commercial fishermen never go into. Clearly, this points out that there was room in Lake Michigan for both types of fishermen.

I hope you consider these materials as you continue to be bombarded with information from the "Sports" fishermen. As I understand it, there are actually only a handful of very vocal people that claim to represent all sports fishermen, yet I'm told that the sports fishermen of Door County peacefully co-exist with the commercial fishermen and would be willing to sign a statement to that fact. How can this be if what the sports fishermen out of Milwaukee County say is true?

Sincerely,

Frank G. Lasee
State Representative
2nd Assembly District

Attachments: Letter from Machut's Supper Club
Newspaper Articles from 6/28/03 and 6/30/03

cc: Natural Resource Board Members
Assembly Natural Resource Committee Members
Senate Environment and Natural Resource Committee Members

Firm, Fair, Honest & Committed



MACHUT'S SUPPER CLUB, INC.

3911 LINCOLN AVENUE
(HIGHWAY 42)
TWO RIVERS, WI 54241
PHONE 920 793-9432
email machuts@lsc1.net

June 26, 2003

Natural Resources Board,
Land Management, Recreation and Fisheries Wildlife Committee
Herbert F Behnke, Chair
N5960 Wolf River Road
Shawano, WI 54166

JUN 27 2003

Dear Mr. Behnke

I am writing to let you know how important it is that the commercial fisherman of Two Rivers be able to fish Whitefish through the summer months. This is the time when tourists visit our area and expect fresh Whitefish. It is also a much needed source of income for the commercial fisherman who have been forced into a smaller season and also have been forced to reduce the number of nets that they have out in Lake Michigan because of unjustified complaints of some sport fisherman.

The depressed economy of Two Rivers in Manitowoc County which already is the 2nd highest county in Wisconsin for unemployment greatly needs a longer season for the sake of my business and also the commercial fisherman. The Sport and Commercial fisherman can both prosper if they are allowed to. Commercial fisherman have been using nets for more than 50 years with no harm to anything.

Thank You for your consideration in this matter.

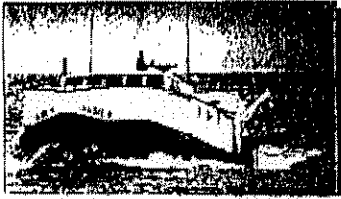
Sincerely Yours

Wayne Machut

CC Senator Al Lasee

State Rep. Frank Lasee

SERVING THE PUBLIC SINCE 1961



Central Lake Michigan Commercial Fishing, Inc.

1810 East Street Two Rivers W. 54241
Phone: 920 794-8434 Fax 920 793-3263

6-30-03

HERALD TIMES REPORTER

DERBY: Cayenberg holds on to win Brown division

From B1

6.30-03

Cayenberg's Brown was one of just seven snagged during the tournament.

A total of 811 fish registered throughout the weekend event - not even half of last year's total. Poor weather and cold lake temperatures factored into the final results.

DePas found a hot spot at about 7:15 a.m. in 90 feet of water south of Manitowoc. He said he made seven passes and snagged six fish, including his prize King.

It was a pretty good morning for DePas, who had just one bite on Friday and didn't get to fish Saturday.

"We were fishing out of a smaller boat and it was pretty rough (Saturday)," he said. "I was just happy we got fish today."

"The fishing this year kind of stunk."

DePas' winning King offered

"They said, 'Oh, it's gone,' and then, 'Oh, he's got it.'"

He thanked his friend and collected his prize - six rods and reels and a cooler with fishing equipment in it.

Wuest rounded up five fish all weekend and said he fished eight miles out.

He was optimistic they might get something good with better weather on the last day.

Walsh, as many other fishermen did, went to 300-

plus feet of water to find some Rainbows and Cohos. He said he fished

south of Sheboygan and worked with another boat to find fish.



WALSH: Won the Coho division.

cluded his dad, John, brought back three award winners.

"My dad took third and fifth place," he said. "We were just fishing the bottom. He came in pretty decent."

"I was surprised that 21 was big enough to win."

Begotka has fished in the Northeastern Wisconsin Salmon Derby, formerly called the Manitowoc Salmon Derby, for the last 18 years.

Event organizers said bad fishing didn't keep many diehard fishermen from supporting the tournament. They continued to show up despite slow fishing Friday and rough weather on Saturday.

"It was definitely rough fishing conditions," tournament director James Karbon said. "There's no doubt about that. It was bad. There were a lot of people that really went out and fished hard. The fishing wasn't that good, but it got

For all Senate and assembly Resource Committee

Here is a news print from the N.E. Sport Fisher Derby 6-27-28-29.

Notice these sport fishers were in 300 feet of water and 8 miles out in the lake. There were no fishes in the depths our trap nets were fishing in. Why do we have to quit fishing???

Important info

LETTER TO THE EDITOR

Commercial fishing season is 'trapped'

DEAR EDITOR:

Northeastern Wisconsin Great Lakes Sport Fishermen have again stopped the commercial harvest of whitefish in the Two Rivers and Sheboygan areas.

These fishermen were allowed to fish 12 nets up to June 28 every year for the last three years. Then the sport groups complained that these nets were in their way and created a hazard to their sport.

This is a big lie and they know it, but it is just another way to stop this fishery. These fishers agreed to cut their amount of nets from 12 to three for each fisher, but still demand a total closure of this whitefish

fishery. These fishers only need about a two-square-mile area off Two Rivers, not 12 to 14 square miles, as quoted in Roy Berres' letter to the editor.

Door County has 16 trap net fishers and allows 12 nets each for an 11-month season, and the sport fishers in the area have no problem. This is a total of 192 nets in a 45-mile area of shoreline.

In Two Rivers, the trap net fishers are forced to remove all trap nets by June 28, of every year. I talked to these fishermen and they told me because of the cold spring, the fish came to shallow water over two weeks late, so now when fishing is good they have to stop fishing and have all the nets removed by June 28.

The DNR sells these fishers a

\$900 license for the year and gives them a quota, which can't be caught because they have to remove their nets.

Sport fishermen also have stated that these commercial fishers have caught most of their quotas, so they don't need the two-month summer fishery, another lie. In year 2001-02, 81,875 pounds were not caught. In 2002-03, the estimated loss will be around 130,000 pounds. That is why these commercial fishers need this summer fishery. Few businesses could stand such losses and continue to remain viable.

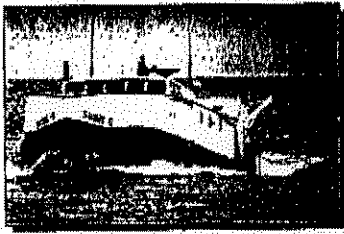
This same group stated that the trap netters can fish in the fall. I have been told that it has been tried for the last two years and the fish do not seem to come into the depths the nets

are fished in, and they have operated at a loss the last two years.

These commercial fishers should have a right to fish their nets in Lake Michigan in these two summer months, so they can supply restaurants, supper clubs and other establishments with fresh, uncontaminated fish for the local consumers and tourists, like the fishers in Door County can.

I would urge the public to get involved and contact their Legislature and the governor to change the way Lake Michigan fisheries are being managed. It is too bad that these two groups can't work together and really promote tourism in our area, like they do in Door County.

Chester Thiede,
Two Rivers



Central Lake Michigan Commercial Fishing, Inc.

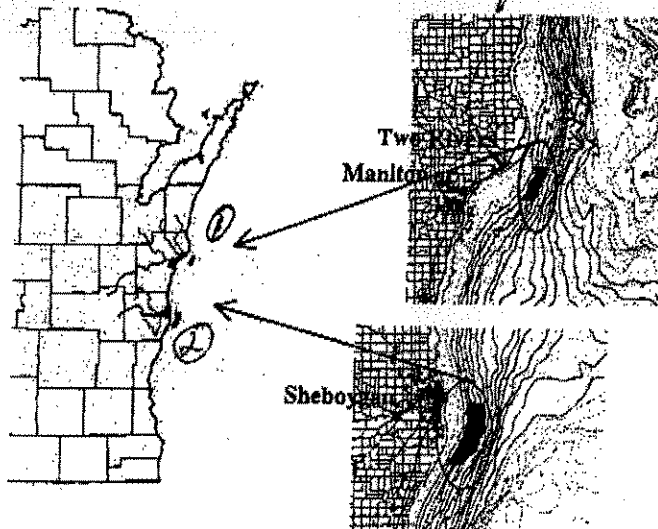
1810 East Street Two Rivers WI. 54241
Phone: 920-794-8434 Fax: 920-793-3263

*For all D.N.R. Senate and assembly
Resource Board members.*

*Please note the areas marked ① and
②. These are the only 2 small areas
needed for our summer trap net
fishery. All the rest of Lake Michigan
is net free. We believe we are totally
being discriminated against by not
allowing our trap netters the 2 small areas.*

deep-water summer trap netting areas (see illustration below). It would also limit to three the number of trap nets that could be used by each commercial license holder during the summer (June 29 through Labor Day) south of Kewaunee and would retain the trap net marking requirements in the original rule. The hearings will be held in Milwaukee (May 14, 7:00 p.m., UW-Milwaukee WATER Institute, 600 E. Greenfield Ave., Milwaukee, WI) and Cleveland (May 15, 7:00 p.m., Lake Michigan Conference Room, Lakeshore Technical College, 1290 North Ave., Cleveland, WI). Written comments submitted by May 19 will be included in the hearing record.

article from D.N.R. news letter



The Manitowoc/Two Rivers summer trap net area would be 4.4 miles long and limited to depths between ~~20~~ and 150 feet

*no depth limit needed
We want to be equal
with zone 2 fishers*

The Sheboygan summer trap net area would be 7.3 miles long and limited to depths between ~~20~~ and 150 feet.

no depth limit needed

Council Manager Government Since 1924



Office of the City Manager
1717 East Park Street
Post Office Box 87
Two Rivers WI 54241-0087
Telephone 920/793-5532
FAX. 920/793-5563

July 8, 2003

Senator Neal Kedzie, Chairperson
Committee on Environmental and Natural Resources
Wisconsin State Senate
P.O. Box 7882
State Capitol
Madison, WI 53707-7882

RE: Senate Clearinghouse Rule 02-143, Pertaining to Commercial Trap Net Fishing for Whitefish in Lake Michigan, Off Two Rivers

Dear Senator Kedzie:

The City of Two Rivers supports passage of the proposed administrative rule cited above, which would allow for a very limited summer trap net fishery off Two Rivers. Allowing our community's struggling commercial fishermen to more effectively harvest the bountiful whitefish stocks in this area is necessary to help assure the survival of this important Two Rivers industry.

Enclosed is a resolution approved by our City Council on April 21, 2003, officially expressing our City's support for such a rule change. We hope that you and your colleagues on the Committee on Environmental and Natural Resources will give fair consideration to this proposed rule, even if sport fishing interests up and down the Lake Michigan shoreline do outnumber the commercial fishing interests. It's a big lake, and there's plenty of room to accommodate the interests of both commercial and sport fishermen.

The City of Two Rivers does not take this position lightly. As home port to both sport and commercial fishermen, this community is well aware of the heated politics associated with Lake Michigan fishing regulations. But we believe that this "compromise" rule, reached through continued dialogue among the commercial fishermen, DNR staff, and the Commercial Fishing Board, presents a situation that should be acceptable to both sides in this debate. Allowing three properly-marked trap nets to be placed in the area off Two Rivers leaves plenty of lake for area sport and charter fishermen to enjoy, while providing our commercial fishermen to provide Wisconsin consumers with a high quality, **indigenous Lake Michigan fish.**

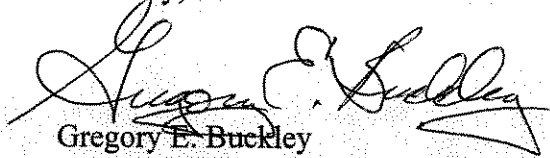
Senator Neal Kedzie, Chairperson

Page Two

July 8, 2003

Sport fishing and commercial trap netting co-exist 50 miles up the lake in Door County, and they can in Two Rivers. The resource is there--please allow our commercial fishermen to harvest the whitefish at the times of the year that they are available in abundance.

Sincerely,



Gregory E. Buckley
City Manager

cc: Members of the Senate Committee and Environmental and Natural Resources
City Council



**RESOLUTION SUPPORTING FH 46-02, EXTENDING
THE COMMERCIAL TRAP NET SEASON FOR
WHITEFISH**

WHEREAS, the City of Two Rivers is home to both commercial and sport fishermen;
and

WHEREAS, the City has consistently advocated regulation of the Lake Michigan fishery
in a manner that assures the long-term viability of both commercial and sports fishing, while also
protecting Lake Michigan as a resource for drinking water, recreation and other human activities;
and

WHEREAS, such regulation must include time to catch harvest quotas for commercially
viable species and;

WHEREAS, the Wisconsin Department of Natural Resources is currently considering
FH 46-02, a regulation that would extend the commercial trap net season for whitefish in Zone 3
off Two Rivers, thereby allowing time to harvest of this high-food-quality native species; and

WHEREAS, giving commercial fishing time to harvest their quotas would bolster the
economic prospects for Two Rivers' commercial fishing industry, at a time when the harvests of
smelt, chub, and other commercially-viable species are significantly curtailed;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Two
Rivers hereby expresses its support for the adoption of FH 46-02 that would give commercial
fishers time to catch their quotas of fish.

Dated, this 21st day of April, 2003

William P. Daniels

[Signature]
Jelene Stone
A. Murray

[Signature]
Glenn J. Engblade
Herb Bunker
Allan Lemme

July 9th 2003



"United We Stand"

To: Natural Resource Committee
From: Roy Berres,
President, N.E.W.G.L.S.F.

Dear Natural Resource Committee,

On behalf of Northeastern Wisconsin Great Lakes Sport Fishermen and the Federation of Great Lakes Sport Fishing Clubs, we are submitting the following documentation for your review. As you know, the Great Lakes Sport Fishermen are in "**Opposition**" to this current proposal. To be quite honest with everyone, this proposal lacks all merit and should never have been brought forth in the first place. Documentation is included in detail in the following 68 pages of information. Below are some comments related to FH-46-02. **Please review the location of these nets on page three.** If this goes through, we have given these three Commercial Fishermen their own private spots on Lake Michigan to fish and according to University of Wisconsin Sea Grant, Great Lakes Sport Fishermen and Boaters should stay clear of the area, therefore the 1,000's of sport fishermen will have to fish else where for the sake of three.

"A True Democracy"

At the last Public Hearings in May, the Sport Fishermen, **whose lives and equipment are at risk**, submitted over 1,100 signed and dated post cards and letters in **Opposition** to this Expansion of the Commercial Whitefish Trap Net Season. The Department of Natural Resource Great Lakes Specialist, Dr. William Horns and the Departments Attorney, Peter Flaherty, assured me that these post cards and letters would carry just as much weight as attending the Public Hearings. According to my understanding, the Department did not even mention that 1,100 plus individuals took the time to voice their opposition on this Season Extension or that these written comments even existed in the material submitted to you..... **A copy of the E-mail from Dr. William Horns to Mike Rusch, our Legislative Coordinator is included in the documentation for your review.**

These same 3 Commercial Fishermen, up until recently, had been catching nearly their entire quota while not fishing:
See Graphs and Tables of Catch Rates

1. All the Gear Allowed by the Wisconsin Department of Natural Resources – A Business Decision on the part of the Commercial Fishermen.
2. The Entire Whitefish Season – Little if any effort is placed on the Fall Whitefish Season, a time when the "**User Conflict**" would be extremely low. – Another Business Decision.

The "**Present / Old Rules**" were put in place to remove the "**User Conflict**" and nothing has really changed. The area described where the nets would be placed are in two of the Busiest Ports on Wisconsin's East Coast based on License and Stamp Sales at the County Level.

1. Sheboygan County is Ranked 3rd in Salmon Stamp Sales with Manitowoc County being ranked 4th of the 72 counties. **See Graph on Stamp Sales.**
2. Sheboygan County is ranked 4th in 2-Day License Sales with Manitowoc County being ranked 5th of the 72 counties. **See Graph on 2-Day License Sales.**
3. Sheboygan County is ranked 3rd in Patron License Sales with Manitowoc County being ranked 5th of the 72 counties. **See Graph of Patron License Sales**

The Great Lakes Sport Fishermen of Zone 3, especially those 33,754 individuals who fished for Trout and Salmon on Lake Michigan in Manitowoc and Sheboygan Counties in 2002 and paid the Department of Natural Resources a total of \$395,169.25 in licenses and stamps, are still in opposition to the Whitefish Season Extension, but the WDNR Board has once again "**Not Made The Correct Decision**" or "**Listened To The Voice Of The People**". These same people are voters and pay the salaries of the WDNR, don't we have any rights?

The WDNR, in this last revision of FH-46-02, attempted to divided the sport fishermen and make this Whitefish Season Extension, "A Local Issue", instead of "A Zone Issue" in order to reduce the amount of negative response from the sport fishermen across the state, but the Sport Fishermen are

"UNITED ON THIS ISSUE".

No Expansion of the Present Whitefish Season in ZONE 3.

The Manitowoc/Two Rivers area already has one of the highest unemployment rates in the state, because of plant closings. We believe many Out-Of-Area Fishermen will definitely not be fishing or spending money in our communities if this rule change goes through. They will trailer their boats to ports with less Commercial Traffic and the Department has failed to do an "Economic Impact Study" on this issue.

Everyone who fishes the lake should ask himself one question. Would you want to be a Sport Fishermen in Manitowoc / Two Rivers / or Sheboygan and be forced to put up with trap nets all summer in 75-150 feet of water - and these nets are approximately 1,250 -1,500 feet long and up to 40 feet off the bottom,

"Especially in Fog, Low Light Conditions and Rough Water"

The Sport Fishermen have always been in favor of a Trap Net Fishery, over Gill Nets or the Trawls, but not at the risk of damage to sport fishing equipment or even death to fishermen in fog, rough water, or darkness. Do we need to add "Yet Another Hazard" for the 1,000's of sport fishermen for "No Good Reason"? These nets do constitute a "Real Danger" for the smaller boats. Sport fishermen have lost equipment, swamped and several have even died after getting caught in commercial nets as is documented in the supplied information. See Report on Deaths Caused by Commercial Nets.

"What Is The Cost Of A Single Life?"

These trap nets are approximately 1,250 - 1,500 feet long and approximately 250 feet wide and come off the bottom 30-40 feet. We will have somewhere between 6 and 30 nets located in the area. The WDNR has unwisely opened up "Pandora's Box" and they don't even know how many of the 8 license holders will elect to put nets in the water. With 6 Licenses in the Manitowoc-Two Rivers area, we could end up with 30-36 nets in the water all summer and Sheboygan could have 12 nets, since the 3 Commercial Fishermen have already mentioned in testimony that they are planning on coming back for 6 nets per license in stead of the 3 nets per license, which was passed in FH-46-02 in May of 2003. The next move the Commercials will make is "We have too many nets in a small area and we need to expand the allowed placement of nets."

We hope the Natural Resource Committee will review the documented facts and voice their opposition to FH-46-02 based on the 1,000's of Sport Fishermen on Lake Michigan in 15-18 Foot Boats, who are coming across the state looking for a good time on the big water. The Wisconsin Department of Natural Resources owes the In-Experienced, Small Boat Owner some amount of safety?

The Great Lakes Sport Fishermen have been putting up with these whitefish trap nets for years during spring and early Summer, but lately the Commercial Fishery wants more and more. We had an agreement, now they want to take the only 2 net free months that the small boat owner feels comfortable and safe fishing on Lake Michigan.

"When is Enough-Enough, Maybe it is Time to Revisit the Importance of the Commercial Fishery in the State of Wisconsin."

Sincerely,
Roy Berres - President NE.W.G.L.S.F.
920-682-7171



"United We Stand"

Over 1,200 Sport Fishermen Have Voiced Opposition of FH-46-02 at the May Public Hearings, Therefore We Ask That You Reject the Whitefish Trap Net Season Extension"

**Opposition Submitted On July 9th 2003 By:
Wisconsin Federation of Great Lakes Sport Fishing Clubs
Northeastern Wisconsin Great Lakes Sport Fishermen**

**Opposition of FH-46-02 Supported By:
Wisconsin Conservation Congress
Wisconsin Wildlife Federation
Manitowoc County Fish & Game Protective Association**

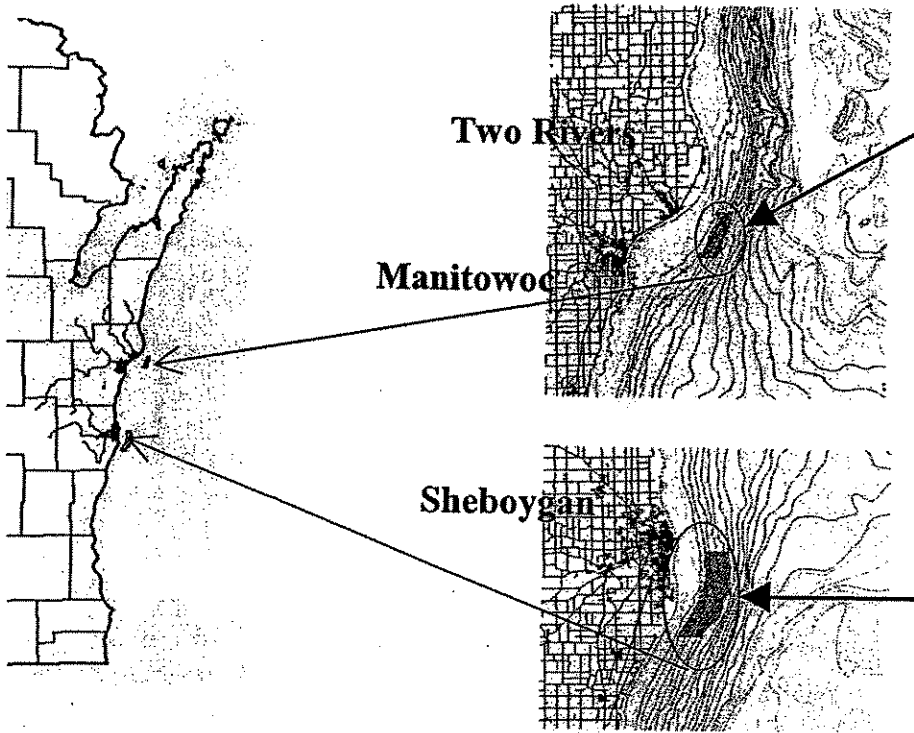
**Information Supplied by the Wisconsin Department of Natural
Resources**

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Cover Letter	From Northeastern Wisconsin Great Lakes Sport Fishermen
Page 1	Table of Contents
Page 2	Power Point Presentation – Cover - Introduction
Pages 3-10	Whitefish Harvest and Quotas since 1997
Pages 11-15	Sales of Trout and Salmon Stamps, 2-Day Licenses and Patron Licenses in Manitowoc and Sheboygan
Pages 16-24	Explanation of why this season extension should not be allowed.
Page 25	Documentation of death of Sport Fishermen caught in Commercial Nets
Page 26-End	All Written Testimony from May Public Hearings, plus a letter from Wisconsin Conservation Congress and E-mail from Dr. William Horns regarding the number of written and oral comments received.

Map of Proposed Nets:

This Rule would open two areas, south of Kewaunee to trap nets, one directly in front of Manitowoc and Two Rivers in Prime Sport Fishing Water (approximately 12-14 square miles) and the other just to the south of the Sheboygan Pier Heads (approximately 16-18 square miles).



The Manitowoc/Two Rivers summer trap net area would be 4.4 miles long and would cover depths from 75 to 150 feet.

The Sheboygan summer trap net area would be 7.3 miles long and would also cover depths from 75 to 150 feet.

"United We Stand"

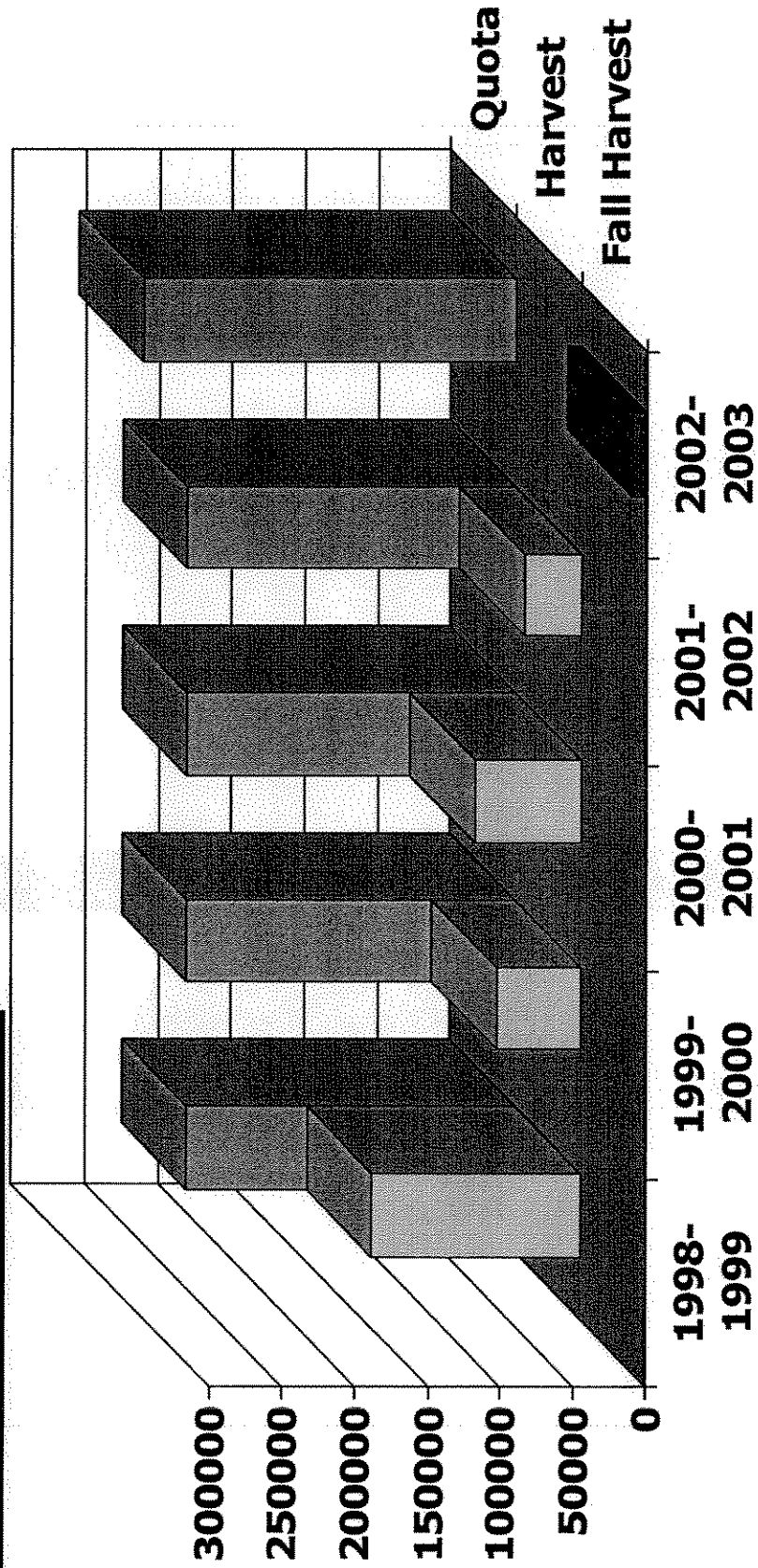
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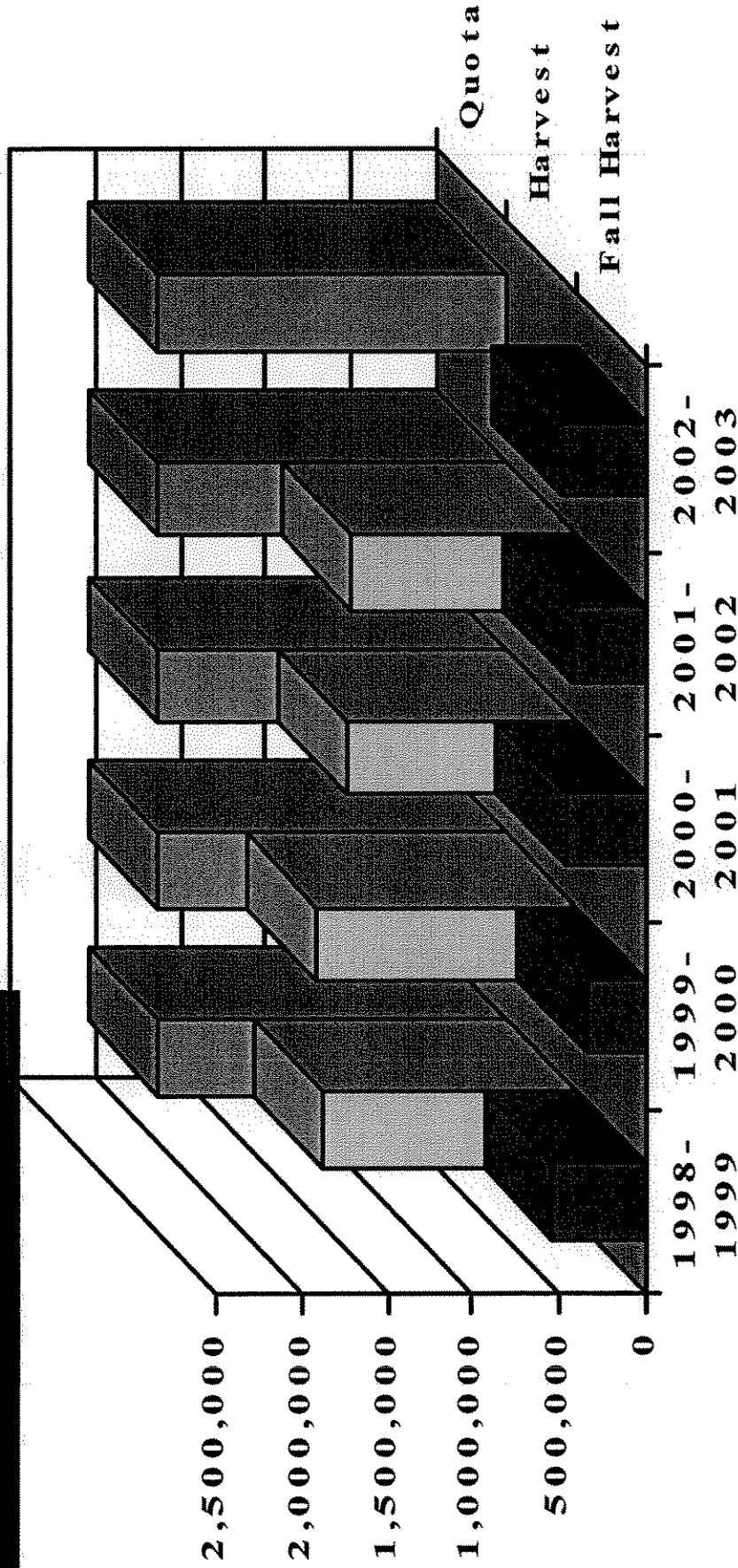
**Information Supplied by the Wisconsin Department of Natural
Resources**

Lake Michigan Commercial Whitefish Harvest by Trap Net in Zone 1



Information Supplied by Allen D. Blizel Commercial Fisheries Specialist - WDNR

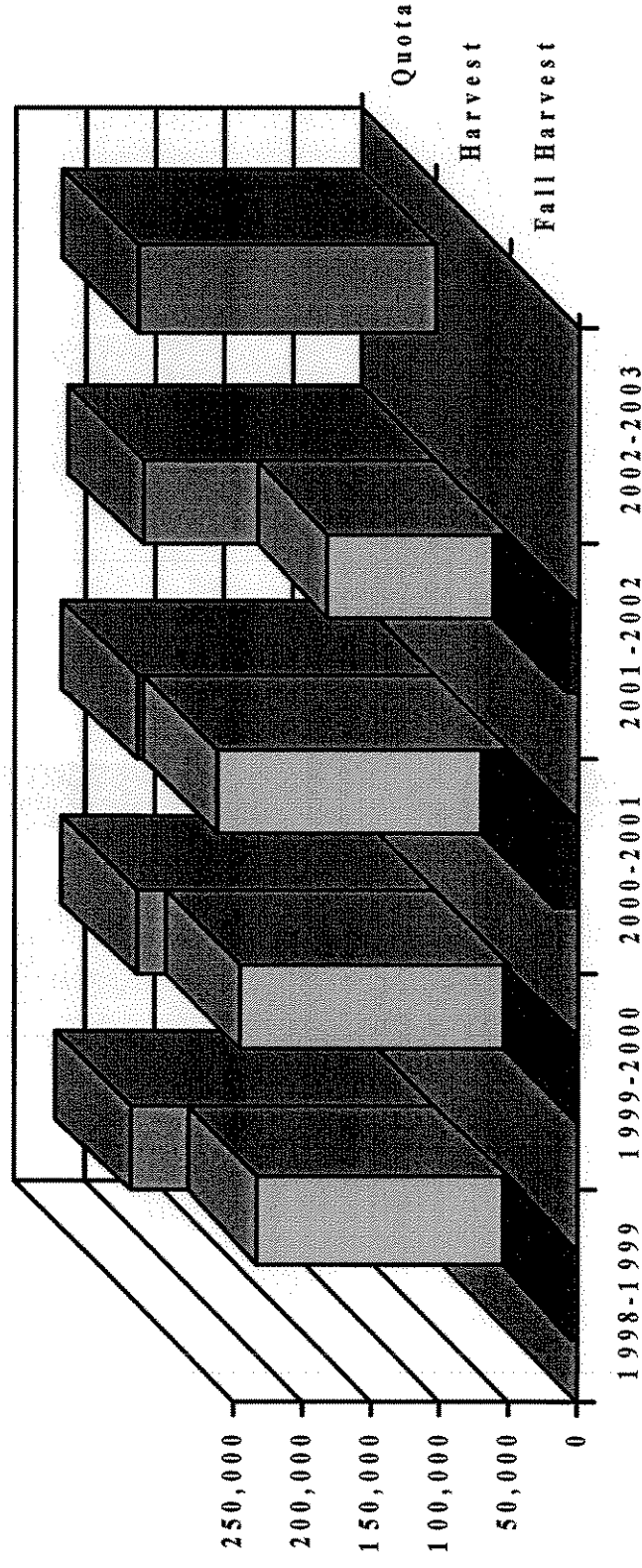
Lake Michigan Commercial Whitefish Harvest by Trap Net in Zone 2



In 2002, there were 16 Commercial Trap netters found in Zone 2.

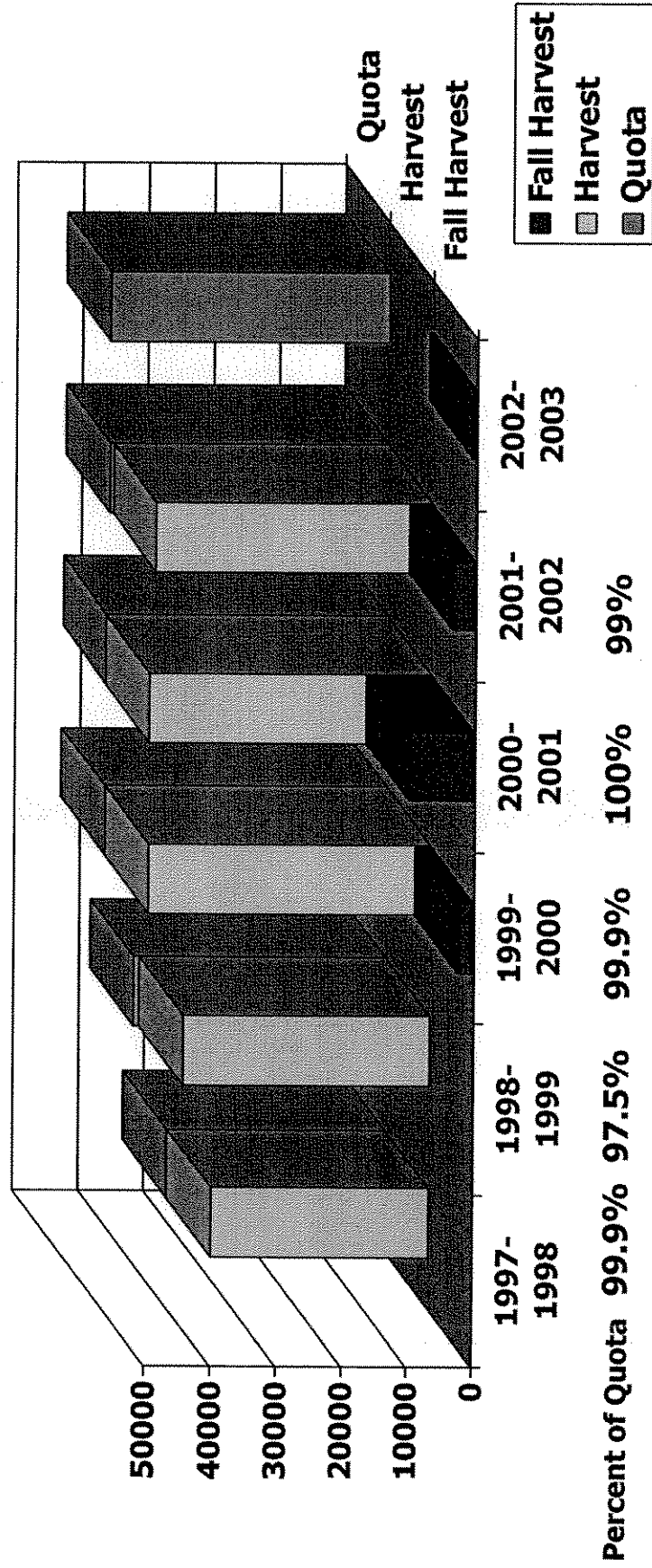
Information Supplied by Allen D. Blizel Commercial Fisheries Specialist - WDNR

Lake Michigan Commercial Whitefish Harvest by Trap Net in Zone 3



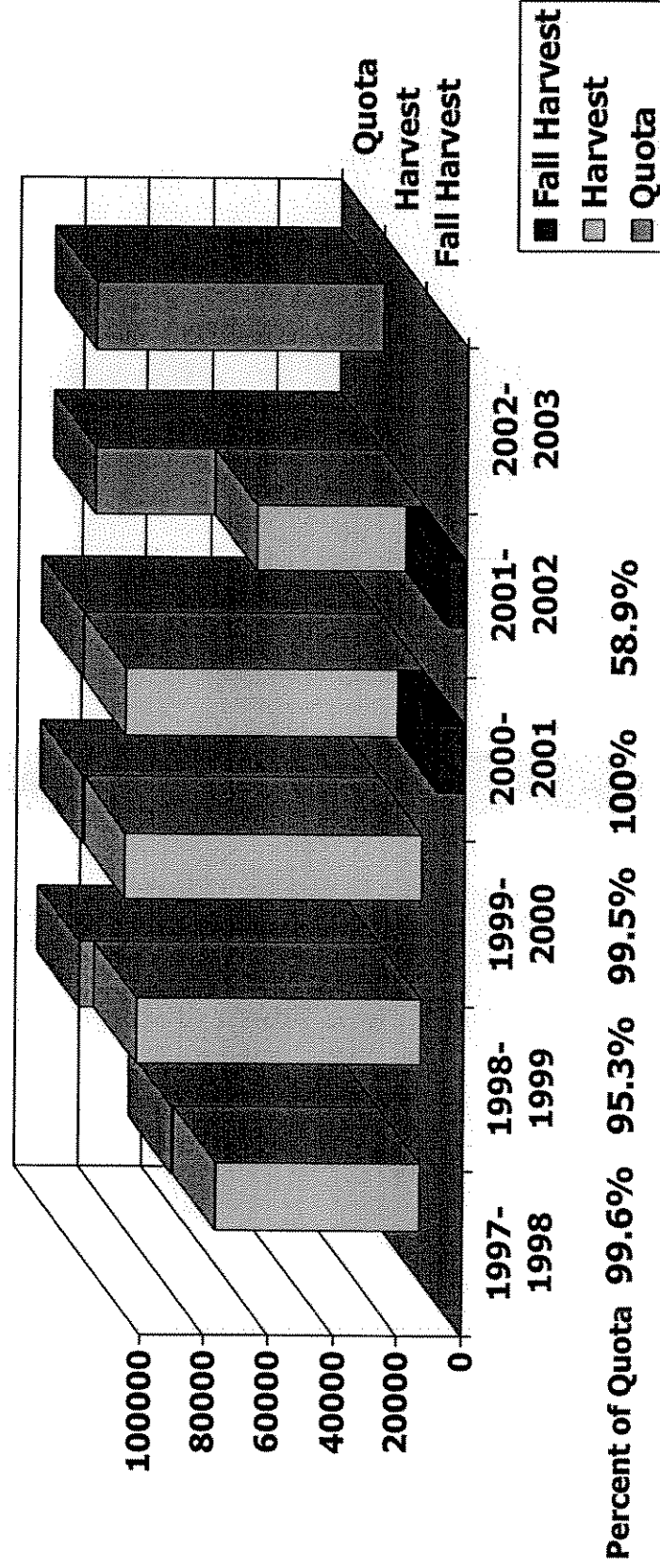
**In 2002, there were 8 Commercial Trap netters in Zone 3, but only 3 were fishing.
Information Supplied by Allen D. Blizel Commercial Fisheries Specialist - WDNR**

Mike LeClair's Commercial Whitefish Harvest by Trap Net in Zone 3



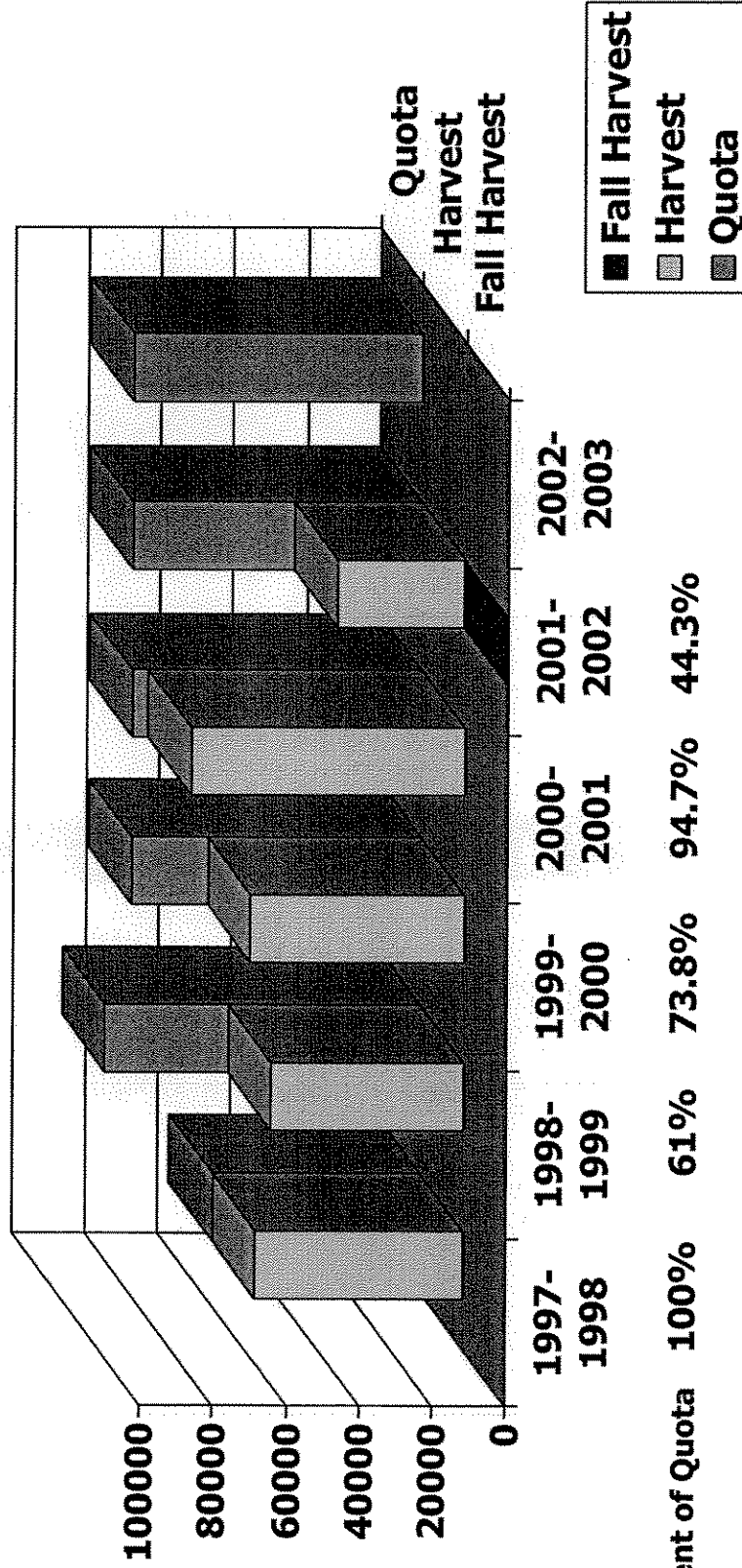
Information Supplied by Allen D. Blizel Commercial Fisheries Specialist - WDNR

Frank Kulpa's Commercial Whitefish Harvest by Trap Net in Zone 3



Information Supplied by Allen D. Blizel Commercial Fisheries Specialist - WDNR

Glenn Seger's Commercial Whitefish Harvest by Trap Net in Zone 3



Information Supplied by Allen D. Blizel Commercial Fisheries Specialist - WDNR

Whitefish Quota Holders in Zone 3

Below are the 8 whitefish quota license holders in Zone 3 and their starting quotas for 2001. Notice that 5 of the 8 either fish out of Two Rivers or have strong ties to the Two Rivers area. This could mean up to 15 deep water trap nets in the Manitowoc / Two Rivers area if all of the quota / licensed fishers elected to fish the summer season. At this point only three of the eight trap netters are fishing. It must also be noted that the commercial fishery is attempting to change the regulations and keep their incidentally caught lake trout. This would be a truly devastating blow to the sport fishery in the Manitowoc / Two Rivers area.

FISHER	QUOTA	NETS ALLOWED	PORT
■ Greg Gates	8,410	3 Nets	Two Rivers
■ Mike LeClair	18,591	3 Nets	Two Rivers
■ Gary Seger	39,585	3 Nets	Sheboygan
■ Dan Anderson	43	3 Nets	Milwaukee
■ Glenn Seger	39,585	3 Nets	Sheboygan
■ Frank Kulp	89,262	3 Nets	Two Rivers
■ Bob Ruleau	16,002	3 Nets	Two Rivers
■ Dean Swear	3,343	3 Nets	Two Rivers

Commercial Harvest of Whitefish in Zone 3 from 1997-2002

<u>1997-1998 Licensee</u>		<u>Quota</u>	<u>Harvest</u>	<u>Percent Harvested</u>
LM-48	Mike LeClair	33,201	33,197	99.99 %
LM-176	Glenn Seger	56,733	56,733	100.00 %
LM-177	Frank Kulpa	63,965	63,722	99.60 %

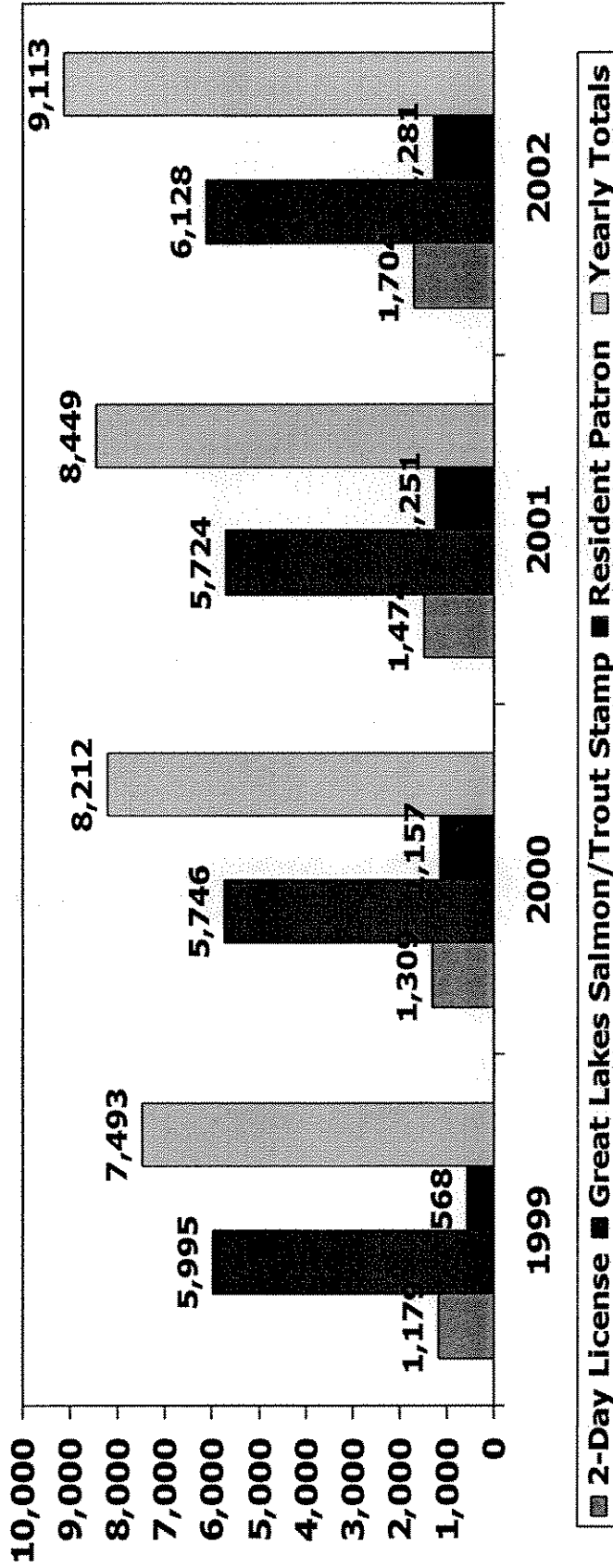
<u>1998-1999 Licensee</u>		<u>Quota</u>	<u>Harvest</u>	<u>Percent Harvested</u>
LM-48	Mike LeClair	38,520	37,544	97.50 %
LM-176	Glenn Seger	86,309	52,609	61.00 %
LM-177	Frank Kulpa	92,917	88,557	95.30 %

<u>1999-2000 Licensee</u>		<u>Quota</u>	<u>Harvest</u>	<u>Percent Harvested</u>
LM-48	Mike LeClair	43,003	42,989	99.99 %
LM-176	Glenn Seger	79,170	58,450	73.80 %
LM-177	Frank Kulpa	92,605	92,153	99.50 %

<u>2000-2001 Licensee</u>		<u>Quota</u>	<u>Harvest</u>	<u>Percent Harvested</u>
LM-48	Mike LeClair	42,921	42,921	100.00 %
LM-176	Glenn Seger	79,170	74,952	94.70 %
LM-177	Frank Kulpa	92,605	92,605	100.00 %

<u>2001-2002 Licensee</u>		<u>Quota</u>	<u>Harvest</u>	<u>Percent Harvested</u>
LM-48	Mike LeClair	42,530	42,092	99.00 %
LM-176	Glenn Seger	79,170	35,131	44.37
LM-177	Frank Kulpa	89,262	51,861	58.90 %

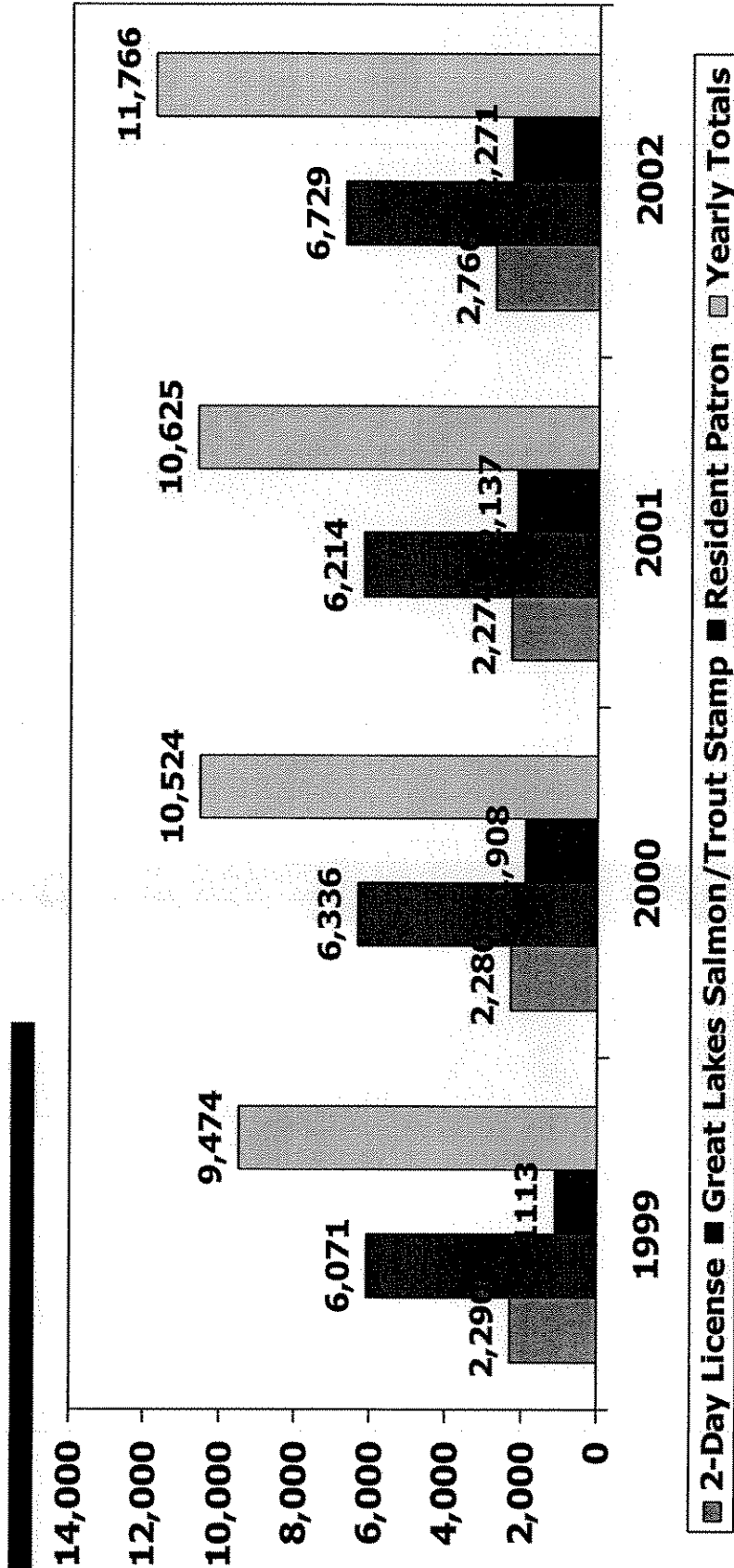
Manitowoc County Sales of 2-Day Great Lakes Fishing Licenses, Great Lakes Salmon/Trout Stamps, or Resident Patron Licenses



These are sport fishermen that actually purchased a stamp or license in Manitowoc County which would allow them to fish Lake Michigan. It does not take into account stamps or licenses purchased in other areas of the state before driving over to fish the Manitowoc / Two Rivers area.

A Trap Net Season Extension will create a serious user conflict.

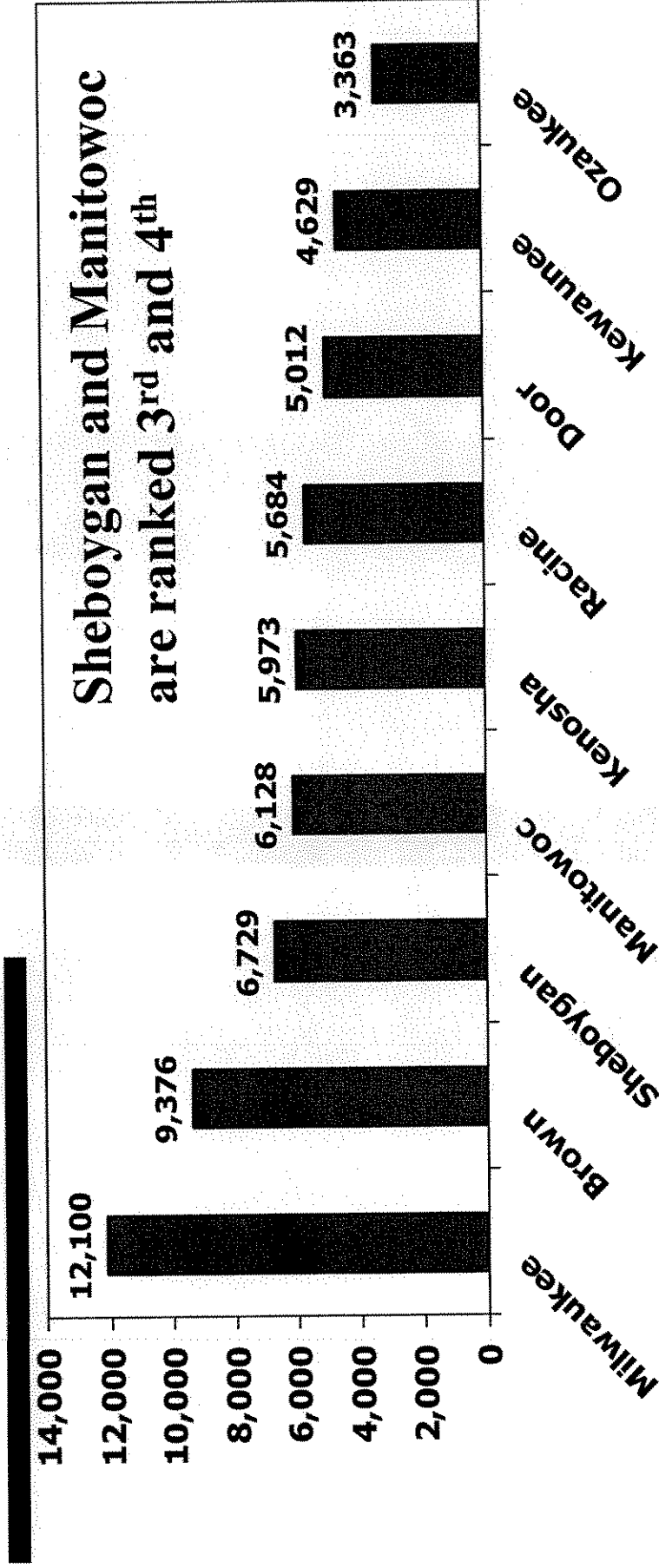
Sheboygan County Sales of 2-Day Great Lakes Fishing Licenses, Great Lakes Salmon/Trout Stamps, or Resident Patron Licenses



These are sport fishermen that actually purchased a stamp or license in Sheboygan County which would allow them to fish Lake Michigan. It does not take into account stamps or licenses purchased in other areas of the state before driving over to fish the Sheboygan area.

A Trap Net Season Extension will create a serious user conflict.

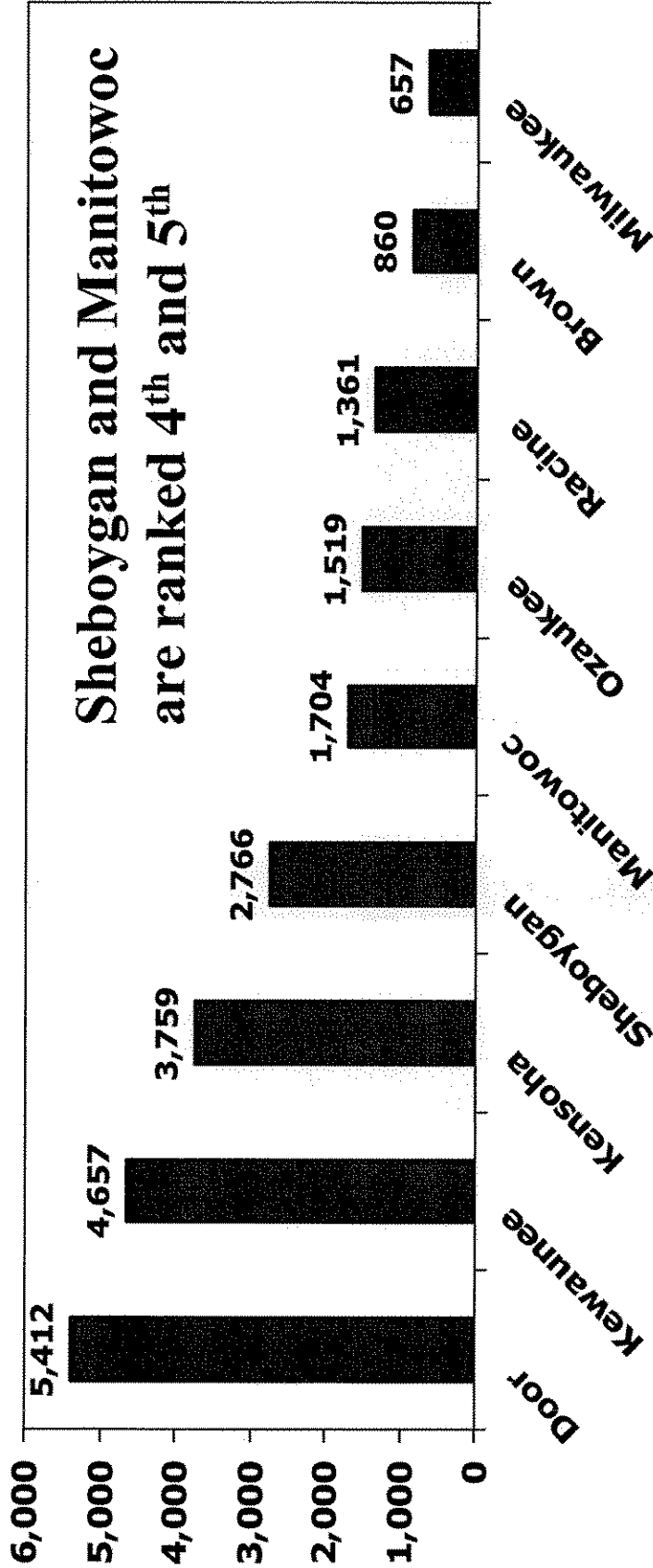
Great Lakes Salmon/Trout Stamps Sales By County in 2002



Above are the lakeshore counties sales of Great Lakes Trout and Salmon Stamps. The counties of Sheboygan and Manitowoc are ranked 3rd and 4th in the state (all 72 counties) regarding stamp sales, only below two of the states largest metro areas.

A Trap Net Season Extension will create a serious user conflict.

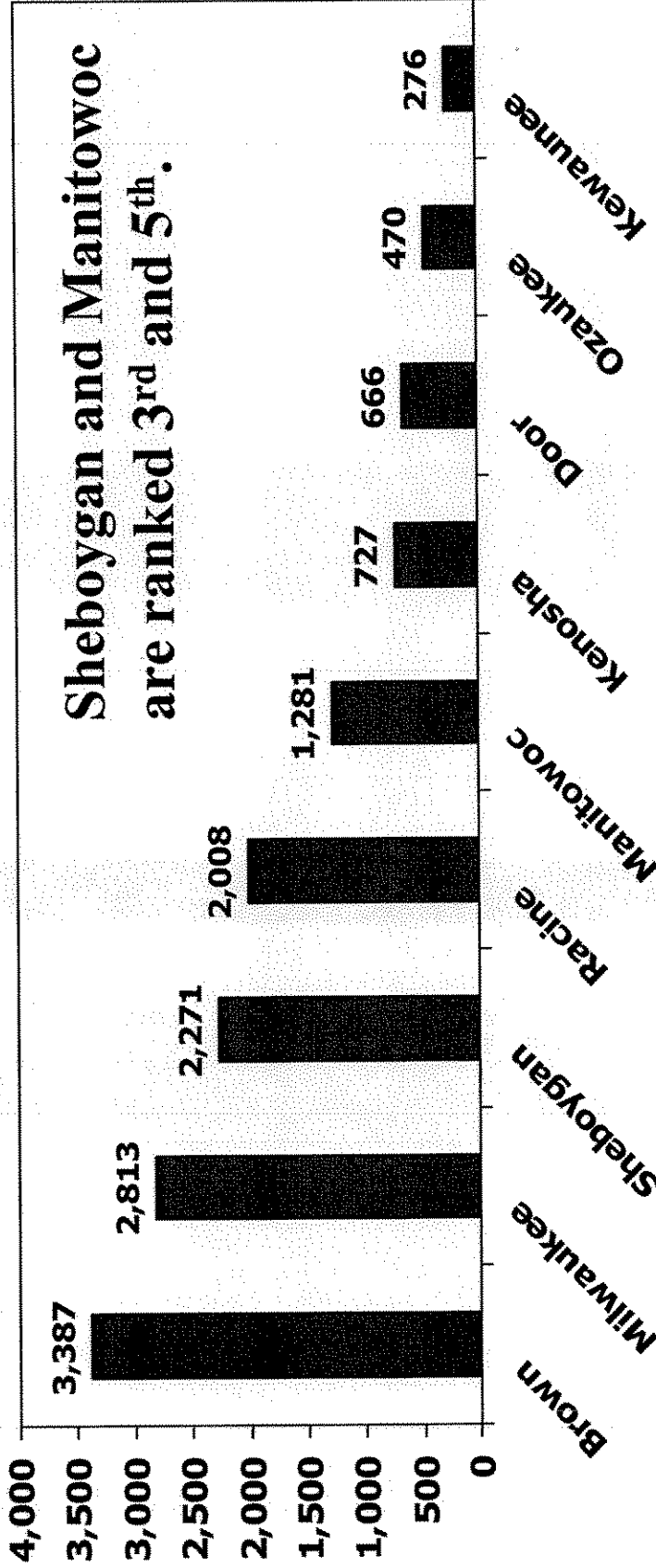
2-Day Great Lakes Salmon/Trout Fishing Licenses Sales By County in 2002



Above are the lakeshore counties sales of 2-Day Great Lakes Trout and Salmon Fishing License. Sheboygan and Manitowoc are again ranked 4th and 5th among all 72 counties.

A Trap Net Season Extension will create a serious user conflict.

Resident Patron Licenses Sales By County in 2002



Above are the lakeshore counties sales of Resident Patron Licenses, which would permit the holder to fish Trout and Salmon in Lake Michigan. The counties of Sheboygan and Manitowoc are ranked 3rd and 5th in all 72 counties regarding Patron License sales. Again the metro areas are number 1 and 2.

A Trap Net Season Extension will create a serious user conflict.

"This Time"

Let's Actually Review the Facts Regarding the Whitefish Season Extension -- Page 1

Historically the three commercial trap netters in Zone 3 have caught nearly their entire quota within the present time frame. We the Sport Fishermen in the Manitowoc /Two Rivers area have been putting up with the trap nets during the month of May and June for years. Maybe it is time to have the nets removed on Memorial Day to remove the "User Conflict" during the month of June. A petition with 10,000 signatures can be obtained by the end of the summer to force the issue. We are tired of reacting to the Commercial Fisheries constant attempts to encroach upon our sport fishery.

This present rule, FH-46-02, if passed, would favor only the three active commercial fishermen who have been fishing whitefish. These three active commercial fishermen have taken an average of 88.18% of the maximum allowable quota for the five-year period. Take note that this number is a percentage of the maximum allowable catch of the entire fishery in Zone 3, not just to the three active participants. This is possible because each individual commercial fisherman's quota may be transferred to another who holds a whitefish quota.

Let's Review the Facts Regarding the Whitefish Extension – Page 2

Only in the last year has the number of whitefish taken decreased from an otherwise steady fishery. Is it a coincidence that the Reported Number of fish taken decreased only since the commercials made a request for an extension on their season?

The commercials have historically caught, by their own choice, all or very near their entire quota in the spring fishery, while choosing not to participate in the fall fishery or fish all of the allowable gear, which is strictly a business decision on their part. If they need additional opportunity to catch their quota, they already have the means to do so through additional effort in the fall season. Zone 2 Trap nets fishers caught an average 456,396 pounds of whitefish in the last three years between Labor Day – Oct.25th , which is a larger Fall Harvest than the entire Zone 3 quota.

Let's Review the Facts Regarding the Whitefish Extension – Page 3

With only three of the eight Whitefish quota holders currently participating in this fishery, there are five who choose not to participate in it at this time. Again this is a business decision. Should this extension be granted, the five inactive quota holders could elect to participate, especially if the commercial fishermen were allowed to sell their incidental catch of lake trout, as they are currently attempting to do. Given the opportunity to sell incidentally caught lake trout, some or all of the other five holders of whitefish quotas could conceivably enter the trap-net fishery under the guise of fishing for whitefish while actually targeting lake trout. This could still result in up to 15 deep water trap nets in the Manitowoc/Two Rivers area and 6 nets in the Sheboygan area.

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Because the commercial fishermen now take nearly their entire allowable quota, especially if they would fish the fall season and all of the allowable gear, there is little - if any, economic benefit to the commercials in the passage of this proposal to allow this season extension.

By their nature, the trap nets are a safety hazard to sport fishers and all boaters, especially in fog, rough weather and darkness. In light of the increased dangers the trap-nets pose to boaters and sport-fishermen, this proposal still lacks merit based on the small potential gain by the few commercials as compared to the real dangers the trap-nets will present to the thousands of pleasure boaters and sport fishermen that use the lake, regardless of how these nets are marked.

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"A Full Safety and Economic Impact Study", should have been performed to prove that the benefit to the few commercial fishermen warrants not only the increased risk of life and property to other users (Sport Fishermen) of the lake, before this proposal was given any consideration at all and brought to Public Hearings.

We also believe that the Manitowoc/Two Rivers, and even the Sheboygan tourism sport fishing base will be affected negatively by this season extension.

If you were pulling your boat over to Lake Michigan from western Wisconsin, would you want to fish off Manitowoc/Two Rivers and dodge 12-15 deep water trap nets, especially in fog and darkness, or would you seek another port with less commercial traffic to fish? Fishermen have died in commercial nets! Were these nets trap nets or gill nets? Does it really make any difference to the widows or mothers of the dead?

Let's Review the Facts Regarding the Whitefish Extension – Page 6

It is extremely interesting that after the request for a whitefish season extension was started in 2001 and the sport fishermen pointed out the extremely high percent of harvest in Zone 3, the following year the percent of harvest was reduced dramatically by several of the fishermen.

What is really ironic, is the fact that several of the commercial fishermen requesting to keep their nets out in the lake all summer with this whitefish season extension, are presently under investigation by the WDNR Law Enforcement Division. Mr. Hansen has apologize for not having this investigation completed before these Public Hearings, since this Whitefish Investigation has been going on for over 12 months.

"This Investigation Started in the Spring of 2002."

It needs to be pointed out that No Indictments of any kind have been issued in this case, but the search warrants are public knowledge.

"United We Stand"

We would like you to place yourself in their boat for just one trip.

You have a 17 foot open boat you use for walleye fishing in Minnesota or Northern Wisconsin and you heard the Salmon Fishing has been excellent off the ports of Sheboygan/Manitowoc/Two Rivers. A couple of your friends have made the trip over with you to do some fishing on the big pond, your first trip. The morning has patchy fog and a steady 2 foot sea out of north. "Very fishable" You have fished walleyes in bigger seas than this. You are fishing the bottom 20 feet of 100 feet of water with the 4 downriggers you just bought and two wire lines for anything that will bite and a couple surface lines for rainbows. They told you most of the fish are deep since the water has warmed up. The fog isn't real thick but patchy and running into another boat isn't a real worry since you are fishing with the sea at trolling speed. So the three of you are talking and watching your lines and having a good time. Suddenly the four downriggers and wires lines hit the king line or pot of a deep water trap net. You didn't see the flag in the fog and now your boat comes to a slow but sudden stop, anchored to the net with it's transom / stern into the sea. Two of you rush to the back of the boat in an attempt to get your downriggers free and save your lines, just adding more weight to the stern of the now trapped boat.

Continued on the next page.

"United We Stand"

The trailing sea brings the first wave over the stern of the stationary boat weighted down by you and your fishing buddy in the stern. The first wave only puts several inches of water in the bottom of your boat. You yell for your friend to turn on the bilge pump, but the second waves already is again breaking over the stern and more water comes in because of the added weight. Now you look for your wire cutters. Where did I put those wire cutters? The third wave has now rolled over the stern and you grab for your life jackets and call May-Day, but in the fog rescue is slow in coming. Question: What is the cost of a single life if this season extension goes through and someone does drown? I have fished the lake since the late 60's and have logged over 20,000 hours fishing for trout and salmon. We have all been in situations on the big pond, sudden summer storms, dense fog, or engine problems, but do we need to add

"Yet Another Hazard for the 1,000's of Sport Fishermen For No Good Reason?"

What is really scary is that the above story is almost exactly what happened to James Swiloski of Kalkaska, Michigan, his son Marty, 18, and brother Daniel. They died in a Gill Net. Tell Jim's widow and Marty's and Daniel's mother that it wasn't a trap net therefore their deaths do not count. Mr. Horns, a Commercial Fishing Net, no matter what kind of net it is, does the same thing.

In Summary: Reject the Whitefish Season Extension in Zone 3.

Safety to the 1,000's of In-experienced Sport Fishermen is the most important factor. We are not worried about the local Charter Fleet or the experienced guys with the bigger boats. All they will lose is money and equipment if they get caught in the nets, but what about the guys in the story? Don't they deserve some consideration from the department.

We also needs to look at one more item, consideration must be given to the highest and best use of the resource. Dollar for dollar, the value of the sport fishery is 194 times the value of the commercial dollar to the state. The Great Lakes Sport Fishermen in Manitowoc and Sheboygan Counties in 2002 spent \$395,169.25 on Great Lakes Trout and Salmon Stamps and Licenses, while the eight Commercial Fishermen in question only spent \$7,200.00 to fish Whitefish. The Great Lakes Sport Fishery is self-sustainable, not like the Commercial Fishery. Therefore the Sport Fishery is due fair consideration with issues that impact their fishery. The 1,000's of Sport fishermen have spoken several times on this issue. Isn't it about time to listen? When is enough--enough?

Reject the Whitefish Season Extension FH-46-02.

"Drowning Highlight the Hazards of Nets"

Clips taken from the Friday December 10, 1993 Detroit Free Press.

St. Ignace - While this tragedy was just waiting to happen, it's likely no one will ever know how the 17 foot outboard boat Pinky Lee became entangled in an Indian Fishermen net and sank in St. Martins Bay on Sept. 4, 1993. The three men on board are dead. A statement released by the Mackinac County prosecutor Dan Dowdell, said that when it was hauled up from the 29 feet of water, the boat had nylon net wrapped so tightly around its trolling motor, the propeller couldn't be turned. The net was 1,800 feet long and 35 feet deep.

My guess is James Swiloski of Kalkaska, his son Marty, 18, and brother Daniel were trolling for salmon when the boat hit the net. Indian fishermen said they were driven in by high seas. If any kind of sea was running, the Pinky Lee after hitting the net, would soon have swung stern into the waves as the net acted like a big sea anchor. With the added weight of someone in the stern trying frantically to pull the net loose, the small boat was soon swamped by waves breaking over her transom. Whatever happened was quick reported the U.S. Coast Guard. They aren't the first sport fishermen to run into nets in the area. What is so infuriating is that it took three deaths to get state officials and the Indian fishermen to admit nets are more than a mere inconvenience in St. Martin Bay. There have been at least eight reports of boats being caught in the nets in the past two years. American Indians laid more than 30 nets in the bay and at one point laid so many nets right in front of the Coast Guard Station that the Coast Guard boats couldn't even get out. Phil Pittman at the Le Chenaux Club in Cedarville said. Even if the nets are properly marked, it's almost impossible to see them at night or in rough water.

This Extension is a Real Danger for Sport Fishermen in Zone 3 Especially in Fog, Rough Water or Darkness.

All that the 1,000's of sport fishermen fishing in the Manitowoc-Two Rivers area ask, is for two months of sport fishing without the chance of losing equipment or even a life - by accidentally getting caught in a net in Fog, Rough Water or Darkness.

Sincerely
Legislative Coordinator: Mike Rusch,
Wisconsin Federation of Great Lakes Sport Fishing Clubs &
Northeastern Wisconsin Great Lakes Sport Fishermen