

WCN 25

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10:45 am



STATE OF WISCONSIN NATURAL RESOURCES BOARD

To All Whom These Presents Shall Come:

I, L. P. Voigt, Secretary of the State of Wisconsin Natural Resources Board, do hereby certify that the annexed copy of State of Wisconsin Natural Resources Board Order No. F-16-67 has been compared with the original order in my custody and on file in the office of the Department of Natural Resources, Madison, Wisconsin, and that the same is a true copy thereof, and of the whole of such original order; that said order was duly passed and published as set forth therein.

In Testimony Whereof, I have hereunto set my hand at Hill Farms State Office Building in the City of Madison, this 30th day of January, 1968.

STATE OF WISCONSIN NATURAL RESOURCES BOARD

By L. P. Voigt
L. P. Voigt, Secretary

STATE OF WISCONSIN NATURAL RESOURCES BOARD

IN THE MATTER of amending WCD 25.05; WCD
25.06; WCD 25.08 (1) (a), (g), (h), (n)
and (8) (b); WCD 25.12 and WCD 25.14 (1);
repealing WCD 25.08 (1) (e) and creating
WCD 25.02 (9) and 25.19 (3) of the
Wisconsin Administrative Code relating to
Great Lakes commercial fishing.

Order No. F-16-67

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD

ADOPTING, AMENDING AND REPEALING RULES

Pursuant to authority vested in the State of Wisconsin Natural Resources Board by sections 29.085 and 29.174, Wisconsin Statutes, and Chapter 75, Laws of 1967, the State of Wisconsin Natural Resources Board hereby amends rules as follows:

SECTION 1. WCD 25.02 (9) of the Wisconsin Administrative Code is created to read:

WCD 25.02 (9) No nets of any kind, except those listed under Wis. Stats. 29.145 or set hooks shall be used, set, placed or operated from April 1 to October 24, within one mile of the mainland shoreline of Lake Superior beginning at the mouth of the Annicon river and extending easterly to the Wisconsin-Michigan state line nor within one mile of the shore of Long Island except under permit issued pursuant to WCD 25.14.

SECTION 2. WCD 25.05 of the Wisconsin Administrative Code is amended to read:

WCD 25.05 Illegal fish. All illegal fish which are taken and cannot be returned alive and unharmed to the water shall be turned over to the state conservation commission or its duly authorized agents. No person shall at any time throw into the outlying waters any dead fish or part thereof, but each fisherman shall bring to shore at his base of operations

all such dead fish and parts thereof. All illegal lake trout caught in nets or on set hooks which cannot be returned alive and unharmed to the water shall be tagged with tags furnished by the commission prior to being brought to port or removed from licensed boat and such tags shall remain attached to the fish until prepared for final consumption.

SECTION 3. WCD 25.06 of the Wisconsin Administrative Code is amended to read:

WCD 25.06 Protected fish. All black bass, rock bass, crappie, muskellunge, sturgeon, salmon, illegal whitefish, all species of trout except lawfully taken and possessed lake trout, and all other illegal fish caught or taken alive/in any licensed fishing gear shall be immediately and carefully returned to the water alive. When found dead in such gear they shall be turned over to the conservation commission or its authorized agents.

SECTION 4. WCD 25.08 (1) (a) of the Wisconsin Administrative Code is amended to read:

WCD 25.08 (1) Gill nets. (a) No gill nets with a mesh greater than 2-3/4" or set hooks may be used in the waters of Lake Michigan and Green Bay except under permit issued pursuant to section WCD 25.14.

SECTION 5. WCD 25.08 (1) (e) of the Wisconsin Administrative Code is repealed.

SECTION 6. WCD 25.08 (1) (g), (h), (n) and (8) (b) of the Wisconsin Administrative Code are amended to read:

WCD 25.08 (1) (g) In the waters of southern Green Bay during the period from April 10 to May 19 no set hooks or nets of any kind may be used, set, placed or operated except under permit or as provided in section WCD 25.08 (1) (d) for the taking of herring and section WCD 25.08 (1) (p) for the taking of smelt.

(h) In the waters of Lake Superior gill nets with a mesh greater than 2-3/4" may be used only under permit pursuant to WCD 25.14 for the taking of all species of fish during the open season therefor. The depth or width of such nets shall be not more than 30 meshes.

(n) In the waters of Lake Superior gill nets with meshes not to exceed 2-3/4" and not more than 60 meshes deep may be used for the taking of herring only, provided however, that the bottom maitre cord or lead line shall be not nearer than one fathom to the bottom of the lake. Such nets shall be known as herring float nets and may be used at any time of the year.

(8) (b) Whenever any gill net set in outlying waters shall take illegal fish of any species, in an amount equal to more than 10% by weight of the total catch or lift, they shall be deemed illegally set and shall be seized and held for the order of the court by the state conservation commission or its deputies, and the owners or operators thereof shall be subject to the penalties in section 29.63 (1) (h), Wisconsin Statutes, unless such nets are immediately removed from such fishing grounds.

SECTION 7. WCD 25.12 of the Wisconsin Administrative Code is amended to read:

WCD 25.12 Possession; transportation. No person shall transport or cause to be transported, deliver, receive, offer to deliver or receive for transportation, have in possession or under control, sell, trade or barter, or offer to sell, trade or barter any fish of the varieties mentioned in section WCD 25.06 or any lake trout unless tagged as required by this chapter wherein such fish have been caught in any net or on set hooks. Wherever and whenever such fish are received by or offered to any person for transportation, sale, trade or barter in the course of business or otherwise, such person shall forthwith notify the commission or its deputies stating full particulars.

SECTION 8. WCD 25.14 (1) of the Wisconsin Administrative Code is amended to read:

WCD 25.14 Setting of nets by conservation commission; issuance of permits.

(1) Nothing in this chapter shall prohibit the conservation commission or its agents from the setting or operating of nets, or authorizing the setting or operating of nets for the purpose of obtaining spawn for any state fish propagation project or program and for the purpose of scientific investigations and in aid of the fishing industry in the outlying waters during the closed season for the various species of fish. All lake trout taken under permit or by authorized agents of the commission shall be tagged with tags furnished by the commission before being brought to port or removed from licensed boat and such tag shall remain attached to the fish until prepared for final consumption.

SECTION 9. WCD 25.19 (3) of the Wisconsin Administrative Code is created to read:

(3) No licensed commercial fisherman or any member of his crew or any person aboard his boat shall have in his possession any game fish or sport angling equipment while operating licensed commercial gear including setlines or while traveling to or from the operation of such gear in any of the outlying waters. Nor shall any person while on the outlying waters for the purpose of sport fishing carry with him or have in his possession any commercial fishing gear.

The rules, amendments and repeals contained herein shall take effect on March 1, 1968.

Approved by the State of Wisconsin Natural Resources Board on January 12, 1968.

STATE OF WISCONSIN NATURAL RESOURCES BOARD

By L. P. Voigt
L. P. Voigt, Secretary

APPROVED:

Warren P. Knowles, Governor
Lieutenant Governor

1/29/68
Date