

25.075 Limited entry; Lake Superior

Chapter WCD 25

OUTLYING WATERS; COMMERCIAL FISHING

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(Section 29.085, Wis. Stats.)

WCD 25.01 Measurement of nets. (1) Whenever the size of mesh of any gill net is specified, the size shall be determined by extension measure. The measurement shall be made of meshes irrespective of where the gill net or gill netting is found, whether in the water, on boat, on reel, on dock, or in any other place on land. Extension measure shall mean the distance between the extreme angles of any single mesh, and such measurements shall be taken between and inside the knots with a flexible steel gauge constructed and used as prescribed by the national bureau of standards as hereinafter defined. All measurements of the mesh of gill nets or gill netting shall be made by inserting in the mesh parallel with the selvage, a gauge made of spring steel, free from rust, of a length equal to the number of inches prescribed in this chapter for the mesh measured. The ends of the gauge shall be free of sharp edges or burrs. The gauge shall be straight and shall not be graduated, and any necessary markings shall be placed near the ends of the gauge. The length of the straight gauge, measured parallel with the long edge, shall not at any point exceed nor be less than the prescribed length by more than one-thousandth (.001) of an inch. Its width at any point shall not exceed 9/16 of an inch nor be less than 7/16 of an inch. Its thickness shall be such that when it is set vertically on a solid anvil with its upper end loaded with a dead weight between 7½ and 8½ ounces, the gauge shall deflect at its middle 1/10 of its length. The gauges to be used for measuring the mesh of gill nets or gill netting as provided by this chapter shall be certified and approved by the national bureau of standards.

(2) In gauging a mesh, the flexible gauge shall be held only by the ends and bent between thumb and forefinger, the bent rule shall be then inserted in the mesh parallel with the selvage and with the collapsed mesh, and finger pressure shall be released immediately, not gradually. If the gauge does not straighten out completely under its own tension within 2 seconds after it is released in the mesh, without slipping a knot or breaking the twine, the mesh shall be considered unlawful; and if the majority of 10 or more meshes selected at random by the enforcement officer from any part or parts of the gill net or

from the entire gill net or from any gill netting being gauged are found to be unlawful, the gill net or gill netting shall be seized and held subject to the order of the court. The meshes to be gauged shall be at least three meshes removed from the selvage or side lines, shall not be stretched or manipulated in any way prior to or after the insertion of the gauge, and the same mesh shall not be gauged more than once.

(3) Whenever and wherever the size of the mesh of gill nets or gill netting is prescribed in this order it shall be the size of the mesh throughout the entire life of the gill net or gill netting.

WCD 25.02 Reserve waters. The following waters are reserve waters and except as otherwise expressly provided no nets of any kind or set hooks shall be used, set, placed or operated therein. (1) Allouez Bay, Superior Bay, St. Louis Bay, the St. Louis river and Chequamegon Bay beginning at the Houghton Point signal light proceeding in a southerly direction following the mainland shoreline to the city of Ashland and continuing along to Chequamegon Point and on across the cut, if present, thence along the south or west shore of Long Island to the signal light on the extreme northwest point of Long Island, thence westerly to the Houghton Point light, the place of beginning.

(2) All waters in Lake Superior within $\frac{1}{4}$ mile of any harbor, pier or breakwater or from the mouth of any stream flowing into Lake Superior except that no net, nets or set hooks shall be used, set, placed or operated within one mile of the shoreline beginning one mile west of the mouth of the Poplar river in Douglas county on the west and ending one mile east of the Iron river in Bayfield county on the east and within one mile of the mouth of the Bad river in Ashland county and the Sioux river in Bayfield county or within $\frac{1}{4}$ mile of the shoreline in that area lying between the reserve waters at the mouths of the Onion and Sioux rivers in Bayfield county.

(3) All waters in Lake Superior within $\frac{1}{4}$ mile from the entry to the channel between Wisconsin Point and Minnesota Point.

(4) All waters of Lake Michigan, northern Green Bay and southern Green Bay within one-half mile from any harbor, pier or breakwater or one-fourth mile from the mouth of any navigable stream flowing into Lake Michigan, northern Green Bay or southern Green Bay.

(5) All waters in Lake Michigan within $\frac{1}{2}$ mile from any harbor, pier or breakwater in Milwaukee county or within $\frac{1}{2}$ mile from the shoreline of Milwaukee county, and within $\frac{1}{2}$ mile of any harbor, pier or breakwater in Racine county or within $\frac{1}{2}$ mile from the shore of that portion of Racine lying between Wind Point Light and the south boundary of the J. I. Case-Clausen works.

(6) All waters in the following bays or harbors in Door county; Sturgeon bay, Sawyer's Harbor, Little Sturgeon bay, Riley's bay, Egg Harbor, Fish Creek Harbor, Eagle Harbor, Bailey's Harbor, Moonlight (Mud) bay, North bay, Rowley's bay, Washington Harbor, Jackson Harbor, Detroit Harbor, West Harbor and Engleson Harbor.

(7) No gill net of any kind shall be used, set, placed or operated in the waters of Lake Michigan, northern Green Bay or southern Green Bay within $\frac{1}{4}$ mile of any shoreline in Door county.

(8) No nets of any kind shall be used, set, placed or operated from June 1 to September 30 of each year in that portion of southern Green

fisheries. Such report shall be made each month regardless of whether or not any fish were taken or any fishing done during the preceding month, and if no fish were taken the fact shall be so noted. Failure to file such reports as specified shall be considered a violation of the provisions of this chapter.

WCD 25.16 Trolling. All species of fish of lawful size may be taken from the outlying waters including bounded bays and reserve waters, by trolling from a motor-driven or sail boat during the open season.

WCD 25.17 Spears. It shall be unlawful to spear any species or variety of fish in the outlying and reserve waters at any time, except that carp may be speared from sunrise to sunset in all outlying waters and may be taken with the use of spear guns by the method commonly known as skin diving by divers under the water in Lake Michigan.

History: 1-2-56; am. Register, December, 1960, No. 60, eff. 1-1-61; am. Register, June, 1962, No. 78, eff. 7-1-62.

WCD 25.18 Snag lines. No person shall set, place, use, have in possession or under control in or on the waters of Lake Michigan and Green Bay any snag line or snag pole, snag hook or parts thereof or cluster of fishhooks that might be attached to same designed to be placed in or drawn through the water for the purpose of catching or drawing such hooks into the body of fish; except that carp may be taken by means of a gaff hook through the ice from sunrise to sunset in the outlying and reserve waters of Lake Michigan and Green Bay.

WCD 25.19 Use of certain nets prohibited. (1) No person shall have in possession or under control, or place, set or operate in any manner in the outlying waters any trammel net, trawl, long tunnel pound or any other net of the pound net variety except the legal fyke or drop net, submarine trap net and the short tunnel pound net whose tunnel is placed wholly and within the pot, crib or pound of such net and whose pot, crib or pound is totally uncovered at the top and the hearts of which are totally uncovered at the top and bottom.

(2) In the waters of southern Green Bay, northern Green Bay and Lake Michigan (except Door county waters) it shall be lawful to use, set, place or operate drop nets the hoods and hearts of which are covered in any manner on the top or bottom, but no tunnel of any drop net used, set, placed or operated in such waters shall be more than 15 feet in length. The depth of the pot of any drop or fyke net shall be not more than 5 feet in diameter. The hearts of such nets shall not be covered for a length greater than 6 feet.

(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.

History: 1-2-56; cr. (3), Register, February, 1968, No. 146, eff. 3-1-68.

WCD 25.20 Icing and refrigeration. It shall be unlawful from May 1 to September 30 for any person holding a license to conduct commercial fishing operations on any of the outlying waters pursuant to sec-

tion 29.33, Wis. Stats. to conduct such fishing operations with a boat unless he carries on such boat a supply of ice sufficient to properly ice and chill all fish taken for human consumption, or unless such boat is adequately equipped with mechanical refrigeration to properly chill all fish taken for human consumption.

History: Cr. Register, November, 1964, No. 107, eff. 12-11-64.

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