

Filed April 20, 1973

9:30 am

NR 25

CERTIFICATE

STATE OF WISCONSIN)
)
DEPARTMENT OF NATURAL RESOURCES) ss.

I, Secretary of the Department of Natural Resources and custodian of the official records of said department, do hereby certify that the annexed rules and regulations relating to repealing, amending, repealing and recreating, and creating certain sections of the Wisconsin Administrative Code, were duly approved and adopted by this department on March 22, 1973.

I further certify that said copy has been compared by me with the original on file in this department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the department at Pyare Square Building in the city of Madison, this

9th day of April,
A.D., 1973.

(Department Seal)



L. P. Voigt, Secretary

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

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 :
 IN THE MATTER OF repealing Chapters NR 25.02 (3), :
 25.08 (1)(k), 25.08 (1)(m), 25.08 (1)(o), :
 25.08 (1)(q), 25.08 (2), 25.08 (3)(c), 25.14 (2), : Order No. F-5-73
 and 25.15; amending Chapters NR 20.02 (1)(d), :
 25.02 (2), 25.02 (9), 25.08 (1)(j), 25.08 (3)(d), :
 25.08 (4)(d), 25.08 (5)(c), and 26.23; repealing :
 and recreating 25.14 (2); and creating Chapters :
 NR 20.17, 25.14 (3), 25.15 (1), 25.15 (2), 25.16 :
 and 25.17 of the Wisconsin Administrative Code :
 :
 -----: :

Pursuant to authority vested in the State of Wisconsin Natural Resources Board by Sections 23.09, 29.085, 29.174, 29.33 and 227.02, Wisconsin Statutes, the State of Wisconsin Natural Resources Board hereby repeals, amends and creates rules as follows:

SECTION 1. Chapter NR 20.02 (1)(d) of the Wisconsin Administrative Code is amended to read:

NR 20.02 (1)

Species	Area	Open Season	Daily bag limit	Minimum length (in.)
(d) 1. Trout and salmon excluding lake trout in Lake Superior	Lake Michigan, Green Bay and Lake Superior	Continuous	5 in aggregate	10
2. Lake trout in Lake Superior	Lake Superior	December 1 to September 30	5 in aggregate with trout and salmon	10

SECTION 2. Chapter NR 20.17 of the Wisconsin Administrative Code is created to read:

NR 20.17. All Wisconsin guides licensed under the provisions of section 29.165, Wis. Stats., and operating in the Wisconsin waters of Lake Superior shall report to the department on blanks to be furnished by the department detailed information

regarding their fishing activities which shall include the quantity, the varieties of fish taken and any other information pertaining to the fishing activities required by the department.

SECTION 3. - Chapter NR 25.02 (2) of the Wisconsin Administrative Code is amended to read:

NR 25.02 (2). All waters in Lake Superior within 1/4 mile of any harbor, pier or breakwater from April 15 through November 30 or from the mouth of any stream flowing into Lake Superior.

SECTION 4. Chapter 25.02 (3) of the Wisconsin Administrative Code is repealed.

SECTION 5. Chapter NR 25.02 (9) of the Wisconsin Administrative Code is amended to read:

NR 25.02 (9). No nets of any kind except those listed under Wisconsin Statutes 29.145 shall be used, set, placed or operated within one mile of the mainland shoreline of Lake Superior beginning at the point on the mainland shore at which an east-west line intersecting the southern end of Basswood island touches the shoreline and extending southward along the mainland shore to the reserve waters of Chequamegon bay.

SECTION 6. Chapters NR 25.08 (1) (k), (m), (o) and (q), (2) and (3)(c) of the Wisconsin Administrative Code are repealed.

SECTION 7. Chapters NR 25.08 (1)(j), (3)(a), (4)(d) and (5)(c) of the Wisconsin Administrative Code are amended to read:

NR 25.08 (1)(j). In the waters of Lake Superior gill nets with a mesh of not less than 2-3/8 inches and not more than 2-3/4 inches and not to exceed 35 meshes deep may be used for the taking of all species of fish during the open season therefor. The setting or placing of such nets in waters less than 40 fathoms is prohibited except as provided for herring float nets or except under permit.

(3)(a). Pound nets may be used in the waters of Lake Michigan, northern Green Bay and southern Green Bay for the taking of all species of fish during the open seasons therefor except during the period from April 10 to May 19 no pound net exceeding 15 feet in depth may be used in the waters of southern Green Bay. Pound nets may be used in the waters of Lake Superior for the taking of all species of fish during the open seasons therefor only under permit.

(4)(d). It shall be unlawful to use, set, place or operate any fyke or drop net except under permit in the waters of Lake Superior.

(5)(c). Submarine trap nets shall not be used, set, placed or operated in Lake Superior except under permit.

SECTION 8. Chapter NR 25.14 (2) of the Wisconsin Administrative Code is repealed and recreated to read:

NR 25.14 (2). Pursuant to NR 25.14 (1) lake trout may be harvested under permit by licensed commercial fishermen. That quantity of lake trout to be harvested by such permittees is not to exceed 40 percent by weight of the total annual allowable commercial harvest of lake trout in waters of Lake Superior as determined pursuant to NR 25.17.

SECTION 9. Chapter NR 25.14 (3) of the Wisconsin Administrative Code is created to read:

NR 25.14 (3). Pursuant to NR 25.14 (1) the department of natural resources reserves 20 percent of the total annual allowable commercial harvest of lake trout as determined pursuant to NR 25.17 to be used for special assessment purposes. Harvest shall be under contract with the department of natural resources, and licensed commercial fishermen and Indian fishermen shall be equally eligible for contracts provided they have the necessary experience and equipment for such special assessment purposes.

SECTION 10. Chapter NR 25.15 of the Wisconsin Administrative Code is repealed.

SECTION 11. Chapter NR 25.15 (1) and (2) of the Wisconsin Administrative Code are created to read:

NR 25.15 (1). Pursuant to NR 25.14 (1) eligible members of the Red Cliff and Bad River bands of Lake Superior Chippewas as determined by the respective tribal councils may harvest under permits issued by their respective tribal councils 40 percent of the annual allowable commercial harvest of lake trout from Wisconsin waters of Lake Superior as established pursuant to NR 25.17. Copies of said permits will be provided to the department of natural resources at the time of issue.

(2) Members of the Bad River and Red Cliff bands of Lake Superior Chippewas may harvest species of fish for which there is an open season therefor under home use permits issued by the Red Cliff and Bad River tribal councils. Said permits to be issued to the heads of households only. Permittees are restricted to the use of no more than 350 feet of gill net and sale of fish taken pursuant to these permits is prohibited. These fishing activities shall be restricted to waters adjacent to the reservations of the Bad River and Red Cliff bands of the Lake Superior Chippewas.

SECTION 12. Chapter NR 25.16 of the Wisconsin Administrative Code is created to read:

NR 25.16. REPORTS. On or before the 10th day of each month each person licensed pursuant to section 29.33, Wis. Stats., or fishing as provided in Chapter NR 25.15, Wis. Adm. Code, shall report for the preceding calendar month to the department in writing on blanks furnished by said department such information relative to their fishing activities as may be deemed necessary by the department for management of the fishery, and to prevent depletion of the fish supply. Conditions intended to assure full protection of the fishery shall include reasonable right of inspection for purposes of obtaining information necessary to manage the fishery.

SECTION 13. Chapter NR 25.17 of the Wisconsin Administrative Code is created to read:

NR 25.17. The total allowable harvest of lake trout by commercial methods in the Wisconsin waters of Lake Superior shall be determined annually, based upon recommendations from the U. S. Bureau of Sport Fisheries and Wildlife and the Great Lakes Fishery Commission subject to confirmation by the Natural Resources Board. The present total allowable annual commercial harvest shall be 100,000 pounds of lake trout.

SECTION 14. Chapter NR 26.23 of the Wisconsin Administrative Code is amended to read:

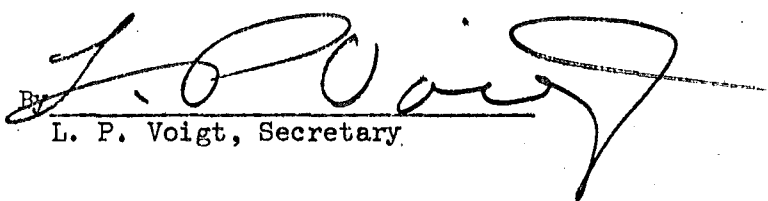
NR 26.23. FISH REFUGES. In order to prevent substantial depletion of the fish supply, the following described spawning areas in Lake Superior are hereby created and established as fish refuges and it shall be unlawful for any person to take, catch, capture, kill or fish for fish in any manner from September 1 to November 30, both dates inclusive, in, on or along the following described water areas: Gull Island Shoals defined as that area from the southernmost point of Outer island in a straight line in a southerly direction to the lighthouse on Michigan island and due east to the Michigan state line; thence northerly along the state line to a point due east of the southerly tip of Outer island; from that point due west to the southernmost point of Outer island to the place of beginning. Van Tassells Point area defined as that area within 2 miles of the mainland shore from the mouth of the Onion river north to the mouth of Pikes creek. Sand Cut defined as an area bounded by a line extending from the Madeline island bell buoy No. 2 due south to a point intersecting the shore of Long island, thence due east to a point intersecting a line extending directly south from Big Bay Point, thence northward along that line to a point intersecting a line extending due east from the Madeline island bell buoy No. 2, thence due west to Madeline island bell buoy No. 2, the location of said buoy being $90^{\circ} 45'$ west by $46^{\circ} 45'$ north.

The foregoing rules were approved by the State of Wisconsin Natural Resources Board on March 22, 1973.

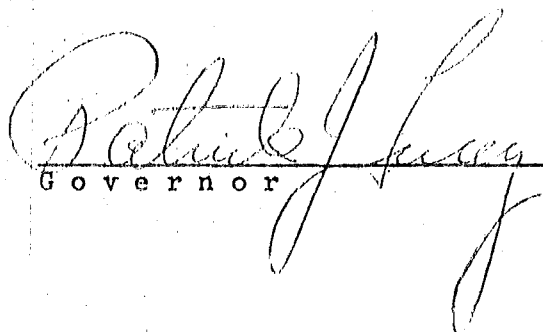
The rules contained herein shall take effect on publication.

Dated at Madison, Wisconsin, this 9th day of April, A.D., 1973

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By 
L. P. Voigt, Secretary

APPROVED:


Governor

April 12, 1973
Date

(Department Seal)