

State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny  
Secretary

BOX 7921  
MADISON, WISCONSIN 53707

CR 88-173

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MAY 11 1989

2:00 pm  
Revisor of Statutes  
Bureau

STATE OF WISCONSIN )  
 )  
DEPARTMENT OF NATURAL RESOURCES )

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Bruce B. Braun, Deputy Secretary of the Department of Natural Resources and custodian of the official records of said Department, do hereby certify that the annexed copy of Natural Resources Board Order No. FM-40-88 was duly approved and adopted by this Department on February 23, 1989. I further certify that said copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have here-  
unto set my hand and affixed the  
official seal of the Department at  
the Natural Resources Building in  
the City of Madison, this 5th  
day of May, 1989.

*Bruce B. Braun*  
Bruce B. Braun, Deputy Secretary

(SEAL)

7-1-89



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

.....  
IN THE MATTER OF repealing ss. NR 25.05(1)(f) and .  
(2)(f), 25.07(2)(a)4., (b)4. and (c)5., 25.09(2)(a)5., .  
6.b. and 8.a. and 25.10(2)(a)3.; renumbering s. .  
25.10(2)(a)4. to 10.; amending ss. NR 25.02(14), (21) .  
and (25), 25.05(1)(d), (e), (g) and (gm), 25.06(2)(b) .  
(intro.), 1., and (c)1., 25.07(2)(b)5., 25.09(2)(a)1., .  
2. and 4.a., c. and d. and (b)2.d., 25.10(2)(a)2. and .  
(b), 25.13(2), 25.18 and 26.23(3); repealing and . FM-40-88  
recreating ss. NR 25.09(2)(a)3. and 25.10(2)(c); and .  
creating ss. NR 20.15(1)(j), (3)(b) and (8), .  
25.02(7g), (7n), (23m) and (33) to (35), 25.03(2)(b)4., .  
25.05(1)(gn) and (4), 25.06(2)(b)2. and 3. and (d) .  
and (e), 25.09(2)(b)2.e. and (d)1.d., 25.10(2)(d) to .  
(h) and (4)(b)1.g. and 25.13(3) of the Wisconsin .  
Administrative Code pertaining to detrimental fish, .  
commercial fishing on Lake Michigan and Green Bay .  
and to fish refuges. .  
.....

Analysis Prepared by Department of Natural Resources

Authorizing statutes: ss. 29.085, 29.174(3), 29.33(1) and  
227.11(2)(a), Stats.

Statutes interpreted: ss. 29.085, 29.174(2)(a) and 29.33(1), Stats.

SECTION 1 adds bullheads, catfish and white bass to the species which are declared to be detrimental fish under s. 29.623, Stats., in Green Bay and Lake Michigan.

SECTION 2 creates definitions to clarify when harvest limits are based on weight of fish in the round or dressed and it defines "diverter", a device used with trawl nets to prevent the capture of illegal fish.

SECTION 3 amends the definition of "illegal fish" to include northern pike, amends the definition of the "northern chub fishing zone" to include a portion of northern Green Bay and amends the definition of "southern chub fishing zone" to enlarge the zone.

SECTION 4 defines "zone 1" to mean all waters in southern Green Bay; "zone 2" to mean all waters in northern Green Bay and all Lake Michigan waters north of Algoma; and "zone 3" to mean all Lake Michigan waters south of Algoma.

SECTION 5 creates a new relicensing criterion that requires a minimum commercial harvest during the previous license year from at least one zone.

SECTION 6 allows chub harvest from certain portions of Green Bay during September 1 to January 15 and March 1 to May 31; allows year-round chub harvest in the southern chub fishing zone but requires chub fishers to stay in water beyond 60 fathoms deep between January 16 and March 1; shortens the yellow perch season on Lake Michigan by opening it 45 days later; and shortens the yellow perch season on Green Bay by closing it 25 days earlier except in zone 2 where a September 15 to April 30 season is set.

SECTION 7 deletes northern pike from the commercial fish open season table. See also SECTION 10, which deletes northern pike from the commercial fish species size limit table. SECTION 20 deletes a reference to the use of gill nets to harvest northern pike. These SECTIONS eliminate commercial fishing for pike on outlying waters.

SECTION 8 prohibits harvest of bullheads, burbot, catfish, gizzard shad, suckers, white bass and white perch except by permit or contract to remove rough or detrimental fish.

SECTION 9 shortens the smelt harvest season in Green Bay from open year-round to open from June 15-September 30; and allows smelt harvest in Green Bay only in waters greater than 65 feet deep. SECTION 9 also prohibits commercial fishing through the ice after March 15.

SECTIONS 11 and 12 set total allowable annual harvest limits for yellow perch to be 400,000 pounds in zone 1, 13,300 pounds in zone 2 and 306,700 pounds in zone 3.

SECTION 13 limits the total allowable annual harvest of forage fish by trawls in Green Bay to include no more than 1,000,000 pounds of smelt.

SECTION 14 sets total allowable annual harvest limits for menominees to be 1,000 pounds in zone 1, 46,000 pounds in zone 2 and 28,000 pounds in zone 3. SECTION 14 also sets total allowable annual harvest limits for whitefish to be 105,000 pounds in zone 1, 945,000 pounds in zone 2 and 100,000 pounds in zone 3.

SECTION 15 eliminates the weekly reporting requirement for permittees harvesting chubs, yellow perch and forage fish from Green Bay and Lake Michigan.

SECTION 16 changes a reference to weekly reports to biweekly reports to conform with the revisions in SECTION 31.

SECTION 17 consolidates existing rules which add mesh height restrictions to gill nets used for taking smelt in Green Bay and Lake Michigan and to 2 3/8" to 2 1/2" mesh gill nets use in southern Green Bay.

SECTION 18 allows a smaller minimum gill net mesh size (2 3/8 inches stretch measure) with net height restrictions to be fished in the southern chub zone in waters more than 150 feet deep.

SECTION 19 requires gill net mesh size of 2 1/2-2 3/4 inch stretch measure for chubs being fished only in the northern chub zone. It also deletes a deadline for compliance with a commercial gear restriction already passed.

SECTION 20 deletes a deadline for compliance with a commercial gear restriction already passed. It also deletes gear restrictions for harvest of northern pike and rough fish.

SECTION 21 sets a 14-day deadline for removal of the webbing of pound nets and trap nets from the water.

SECTION 22 bars pound nets and trap nets in Lake Michigan south of 44°55'50" north latitude from June 15 to Labor Day.

SECTION 23 requires the use of diverters with openings no larger than 7/8 inch when trawls are used to harvest forage fish in Green Bay.

SECTIONS 24, 25 and 29 eliminate the use of restricted area permits allowing commercial gear in waters within 1/2 mile of any harbor, pier, breakwater except in waters of Door, Kewaunee, Manitowoc and Sheboygan counties and eliminate all commercial gear within 1/2 mile of the shoreline of Kenosha, Milwaukee, Ozaukee and Racine counties.

SECTIONS 27, 28 and 29 prohibit commercial gill net use in the area between Baileys Harbor and Kewaunee except in waters greater than 270 feet deep south of a line running due east approximately 6 miles north of Kewaunee.

SECTION 28 expands the area known as the Clay Banks refuge where all commercial fishing is prohibited.

SECTION 29 also eliminates all commercial fishing in the former restricted area within 1/2 mile of any harbor, pier, breakwater or the shoreline south of Sheboygan County.

SECTION 29 also creates a new criterion for denial or suspension of restricted area permits to allow the department to deny or suspend commercial fishing operations when mortality of illegal fish caught in commercial gear exceeds 10% of the weight or number of the legal catch.

SECTION 30 eliminates the monthly report of all fishing activities required for Lake Michigan commercial fishers.

SECTION 31 creates a biweekly report of all fishing activities required for Lake Michigan commercial fishers. This report shall include all activities previously required on a monthly basis plus reports of all retail sales. SECTION 31 also requires the report be transported in such a way that it cannot be altered.

SECTION 32 requires commercial fishers to land their catches at one of no more than 2 ports designated by the fisher.

SECTION 33 enlarges the Mid-lake Reef refuge to include approximately 160 additional square miles.

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SECTION 1. NR 20.15(1)(j), (3)(b) and (8) are created to read:

NR 20.15(1)(j) All of Lake Michigan and Green Bay waters in Marinette, Oconto, Brown, Door, Kewaunee, Manitowoc, Sheboygan, Ozaukee, Milwaukee, Racine and Kenosha counties.

(3)(b) Lake Michigan and Green Bay.

(8) The department of natural resources finds pursuant to s. 29.623, Stats., that white bass are detrimental fish in all of Lake Michigan and Green Bay waters and that the department may remove white bass or cause them to be removed pursuant to ss. 29.62 and 29.625, Stats.

SECTION 2. NR 25.02(7g), (7n) and (23m) are created to read:

NR 25.02(7g) "Diverter" means a type of commercial fishing gear inside a trawl net before the cod end, used to sort fish by size, through which all fish caught must pass and which diverts larger fish out of the net.

(7n) "Dressed fish" means fish from which only the viscera have been removed.

(23m) "Pounds" means the avoirdupois weight in pounds of fish in the round with head, gills and viscera intact, except with respect to chubs sorted for human consumption, menominee and whitefish, where it means the avoirdupois weight in pounds of dressed fish.

SECTION 3. NR 25.02(14), (21) and (25) are amended to read:

NR 25.02(14) "Illegal fish" means any or all fish taken at a time other than the open season, or of sizes other than prescribed in s. NR 25.05 or in excess of quotas as prescribed in s. NR 25.06, or taken by methods other than those prescribed in this chapter, or of the following species: smallmouth bass, largemouth bass, rock bass, crappie, muskellunge, northern pike, sturgeon, all species of salmon and trout except as otherwise prescribed in this chapter.

(21) "Northern chub fishing zone" means those waters of Lake Michigan lying north of a line extending from the mid-channel marker buoy of Baileys Harbor on a 135° bearing, and east of a line extending through the marker buoy on Fisherman Shoal on a 23° bearing, and those waters of Green Bay bounded by a line beginning at the intersection of 45°15' north latitude with the westerly shore of Door county, Wisconsin, then proceeding west along 45°15' north latitude to its intersection with 87°10' west longitude, then proceeding north along 87°10' west longitude to its intersection with the Wisconsin-Michigan state line, then proceeding east along the Wisconsin-Michigan state line to its intersection with 86°49' west longitude, then proceeding south along 86°49' west longitude to its intersection with the north shore of Rock island, Door county, Wisconsin then proceeding along the west shore of Rock island to the southwesternmost landpoint, then proceeding in a straight line extending to the nearest landpoint on Washington island, then south along the west shore of Washington island to the intersection of the northern Green Bay-Lake Michigan line, then south along the northern Green Bay-Lake Michigan line to

its intersection with 45°20' north latitude, then proceeding west along 45°20' north latitude to its intersection with 87°00' west longitude, then proceeding south along 87°00' west longitude to its intersection with the Door county, Wisconsin shoreline, then following the shoreline to the point of beginning.

(25) "Southern chub fishing zone" means those waters of Lake Michigan lying south of a line ~~running due~~ extending east from the entrance of Kewaunee harbor to its intersection with the 45 fathom (270 feet) depth contour, then proceeding northerly along the 45 fathom depth contour to its intersection with 44°32' north latitude, then proceeding east along 44°32' north latitude to its intersection with the Wisconsin-Michigan state line.

SECTION 4. NR 25.02(33) to (35) are created to read:

NR 25.02(33) "Zone 1" means all waters in southern Green Bay.

(34) "Zone 2" means all waters in northern Green Bay and all Lake Michigan waters north of a line running due east from the eastern shore of Door county along 44°40' north latitude to the Wisconsin-Michigan state boundary.

(35) "Zone 3" means all waters of Lake Michigan south of a line running due east from the eastern shore of Door county along 44°40' north latitude to the Wisconsin-Michigan state boundary.

SECTION 5. NR 25.03(2)(b)4. is created to read:

NR 25.03(2)(b)4. Beginning with the 1990-1991 license year, the applicant shall have reported a minimum commercial harvest during the previous license year of yellow perch, menominees, whitefish, chubs or



any combination of these species of at least 3,570 total pounds from zone 1, 13,656 total pounds from zone 2 or 19,638 total pounds from zone 3.

SECTION 6. NR 25.05(1)(d) and (e) are amended to read:

Species	A Green Bay	B Lake Michigan	C Lake Superior
(d) Chubs	No open season <u>except September 1 to January 15 and March 1 to May 31 in that portion of Green Bay in the northern chub fishing zone</u>	March 1 to January 15. <u>From January 16 to the end of February in the southern chub fishing zone in water 60 fathoms deep or deeper,</u> subject to ss. NR 25.06(2)(a), 26.07(2)(a) and 25.09	At all times
(e) Yellow perch	July 1 to <del>April 9</del> <u>March 15</u> except: 1. Gill nets may be used from May 20 to <del>April 9</del> <u>March 15</u> ; 2. From January 1 to <del>April 9</del> <u>March 15</u> only commercial ice fishing is legal; 3. <u>September 15 to April 30 in zone 2</u> ; 4. All to be subject to ss. NR 25.06(2)(b) and 25.07(2)(b)	<del>August 1</del> <u>September 15</u> to April 30	No open season

SECTION 7. NR 25.05(1)(f) is repealed.

SECTION 8. NR 25.05(1)(g) and (gm) are amended to read:

Species	A Green Bay	B Lake Michigan	C Lake Superior
(g) Alewives, <del>bullheads,</del> <del>burbot,</del> <del>catfish,</del> <del>gizzard-shad,</del> <del>suckers,</del> menominees <u>(round whitefish)</u> <del>smelt,</del> <del>white bass</del>	At all times	At all times	At all times
(gm) Carp, <del>bullheads,</del> <del>burbot,</del> <del>catfish,</del> <del>gizzard</del> <del>shad,</del> <del>suckers,</del> <del>white bass,</del> <del>white perch</del>	No open season except by permit <u>or contract issued</u> under s. <u>29.62,</u> <u>29.623 or 29.625,</u> Stats.	No open season except by permit <u>or contract issued</u> under s. <u>29.62,</u> <u>29.623 or 29.625,</u>	At all times

SECTION 9. NR 25.05(1)(gn) and (4) are created to read:

Species	A Green Bay	B Lake Michigan	C Lake Superior
(gn) Smelt	At all times except trawls may be used only from June 15 to September 30 and only in waters greater than 65 feet in depth	At all times	At all times

(4) ICE FISHING. Commercial fishing through the ice in Green Bay and Lake Michigan is prohibited after March 15 during each license year.

SECTION 10. NR 25.05(2)(f) is repealed.

SECTION 11. NR 25.06(2)(b)(intro.) and 1. are amended to read:

NR 25.06(2)(b) Yellow perch. The total allowable annual commercial harvest of yellow perch in Wisconsin waters of Lake Michigan and Green Bay shall be determined by the natural resources board based on recommendations from the department.

1. The total allowable commercial harvest in ~~Green Bay~~ zone 1 for any license year may not exceed 400,000 pounds.

SECTION 12. NR 25.06(2)(b)2. and 3. are created to read:

NR 25.06(2)(b)2. The total allowable commercial harvest in zone 2 for any license year may not exceed 13,300 pounds.

3. The total allowable commercial harvest in zone 3 for any license year may not exceed 306,700 pounds.

SECTION 13. NR 25.06(2)(c)1. is amended to read:

NR 25.06(2)(c)1. The total allowable commercial harvest of forage fish by trawls in any license year may not exceed 18,000,000 pounds in Lake Michigan and Green Bay, of which no more than 2,500,000 pounds may be taken from Green Bay. Of the 2,500,000 pounds which may be taken by trawls from Green Bay, no more than 1,000,000 pounds may be smelt.

SECTION 14. NR 25.06(2)(d) and (e) are created to read:

NR 25.06(2)(d) Menominees. 1. The total allowable annual commercial harvest of menominees in Wisconsin waters of Lake Michigan and Green Bay shall be determined by the natural resources board based on recommendations from the department.

2. The total allowable commercial harvest of menominees in Lake Michigan and Green Bay may not exceed 75,000 pounds in any license year, with no more than 1,000 pounds to be taken from zone 1, 46,000 pounds from zone 2 and 28,000 pounds from zone 3.

(e) Whitefish. 1. The total allowable annual commercial harvest of whitefish in Wisconsin waters of Lake Michigan and Green Bay shall be determined by the natural resources board based on recommendations from the department.

2. The total allowable commercial harvest of whitefish in Lake Michigan and Green Bay may not exceed 1,150,000 pounds in any license year, with no more than 105,000 pounds to be taken from zone 1, 945,000 pounds from zone 2 and 100,000 pounds from zone 3.

SECTION 15. NR 25.07(2)(a)4., (b)4. and (c)5. are repealed.

SECTION 16. NR 25.07(2)(b)5. is amended to read:

NR 25.07(2)(b)5. Based on the information received in the weekly biweekly fishing reports, the department shall notify individual permittees when 75% of their catch quota, as allocated under subd. 2., has been harvested.

SECTION 17. NR 25.09(2)(a)1. and 2. are amended to read:

NR 25.09(2)(a)1. With a mesh size of not more than 1 3/4 inch stretch measure not exceeding 60 meshes in depth in Green Bay and 30 meshes in depth in Lake Michigan for taking smelt only.

2. With a mesh size of not less than 2 3/8 inch and not more than 2 1/2 inch stretch measure not exceeding 60 meshes in depth in southern Green Bay only.

SECTION 18. NR 25.09(2)(a)3. is repealed and recreated to read:

NR 25.09(2)(a)3. With a mesh size of not less than 2 3/8 inch and not more than 2 3/4 inch stretch measure, and not less than 24 meshes and not more than 60 meshes in height, only in the southern chub fishing zone in water more than 150 feet (25 fathoms) deep.

SECTION 19. NR 25.09(2)(a)4.a., c. and d. are amended to read:

NR 25.09(2)(a)4.a. For chubs in Lake Michigan and Green Bay, in the northern ~~and southern~~ chub fishing ~~zones~~ zone only.

c. May not exceed 18 meshes in depth when set in waters less than 150 feet (25 fathoms) deep in Lake Michigan outside the northern chub fishing zone ~~after July 1, 1988.~~

d. May not exceed 60 meshes in depth when set in Green Bay, or in waters 150 feet (25 fathoms) deep or deeper in Lake Michigan, or within the northern chub fishing zone.

SECTION 20. NR 25.09(2)(a)5., 6.b. and 8.a. are repealed.

SECTION 21. NR 25.09(2)(b)2.d. is amended to read:

NR 25.09(2)(b)2.d. Shall ~~be removed from the water or shall~~ have the fish holding or pot portion rendered inoperable during the closed season for whitefish and shall have the webbing removed from the water within 14 days after the close of the whitefish season.

SECTION 22. NR 25.09(2)(b)2.e. is created to read:

NR 25.09(2)(b)2.e. May be used in the waters of Lake Michigan lying south of a line extending from the Lake Michigan shoreline along 44°45'50" north latitude only during the period including the day after Labor Day to June 14.

SECTION 23. NR 25.09(2)(d)1.d. is created to read:

NR 25.09(2)(d)1.d. When used to harvest forage fish in Green Bay, diverters with openings no larger than 7/8 inch wide shall be used.

SECTION 24. NR 25.10(2)(a)2. is amended to read:

NR 25.10(2)(a)2. All waters within one-half mile of any harbor, pier or breakwater in Door, Kewaunee, Manitowoc or Sheboygan counties.

SECTION 25. NR 25.10(2)(a)3. is repealed.

SECTION 26. NR 25.10(2)(a)4. to 10. are renumbered NR 25.10(2)(a)3. to 9.

SECTION 27. NR 25.10(2)(b) is amended to read:

NR 25.10(2)(b) No commercial fishing gear of any kind except entrapping nets, other than trawls, authorized by permit issued under sub. (4) for the taking of rough or detrimental fish, perch, whitefish or menominee ~~and entrapping nets authorized by permit issued under sub. (4) for the taking of whitefish~~ may be used, set, placed or operated in the waters of Lake Michigan lying south of a line extending from the mid-channel marker buoy of Baileys Harbor on a 135° bearing, or north of a line ~~running due~~ extending east from the entrance of Kewaunee harbor to its intersection with a line that follows the 45 fathom (270 feet) depth contour, then proceeding north along that 45 fathom (270 feet) depth contour to its intersection with 44°32' north latitude, then east 44°32' north latitude to the Wisconsin-Michigan state line, except as provided under ~~par. pars.~~ (c), (d), (e), (f) and (g).

SECTION 28. NR 25.10(2)(c) is repealed and recreated to read:

NR 25.10(2)(c) No commercial fishing gear of any kind may be used, set, placed or operated in all waters bounded by a line beginning at the outer end of the north pier at Algoma and proceeding along the north side of that pier to the shore of Lake Michigan, then proceeding north along the shore to its intersection with 44°52'30" north latitude, then proceeding east along 44°52'30" north latitude to its intersection with a line extending from the mid-channel marker buoy of Baileys Harbor on a 135° bearing, then proceeding on a line bearing 135° to its intersection with the Wisconsin-Michigan state line, then proceeding south along the Wisconsin-Michigan state line to

its intersection with a line extending east from the outer end of the north pier at Algoma, then proceeding west along that line to the point of beginning.

SECTION 29. NR 25.10(2)(d) to (h) and (4)(b)1.g. are created to read:

NR 25.10(2)(d) Gill nets not to exceed 18 meshes deep only for yellow perch and menominees authorized by permit under sub. (4) may be used in waters of Lake Michigan lying between a line extending east along 44°55'50" north latitude from the Lake Michigan shoreline and a line extending from the mid-channel marker buoy to Baileys Harbor on a 135° bearing.

(e) In waters of Lake Michigan lying between a line extending east along 44°55'50" north latitude from the Lake Michigan shoreline and a line extending east along 44°52'30" north latitude from the Lake Michigan shoreline entrapping nets for whitefish authorized by permit under sub. (4) may only be used during September 1 to October 25.

(f) No commercial fishing gear of any kind except pound nets authorized by permit under sub. (4) for the taking of whitefish and rough or detrimental species may be used, set, placed or operated in the waters of Lake Michigan in depths less than 45 fathoms (270 feet) deep in the area between a line extending east from the end of the north pier at Algoma and a line extending east from the entrance of Kewaunee harbor.

(g) Except as provided under par. (a)2., no commercial fishing gear of any kind may be used, set, placed or operated in any waters within one-half mile of any harbor, pier or breakwater in Green Bay or Lake Michigan.



(h) No commercial fishing gear of any kind may be used, set, placed or operated in any waters within one-half mile of the shoreline of Kenosha, Milwaukee, Ozaukee or Racine county.

(4)(b)1.g. Mortality of illegal fish resulting from capture in commercial fishing gear greater than or likely to be greater than 10% of the weight or number of the legal catch.

SECTION 30. NR 25.13(2) is amended to read:

NR 25.13(2) On or before the 10th day of each month each person licensed pursuant to s. 29.33, Stats., to conduct commercial fishing operations on Lake Superior, or fishing as an eligible member of the Red Cliff ~~and~~ or Bad River ~~bands~~ band of Lake Superior Chippewas, shall report for the preceding calendar month to the department in writing on forms provided for this purpose by ~~said~~ the 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.

SECTION 31. NR 25.13(3) is created to read:

NR 25.13(3) Each person licensed pursuant to s. 29.33, Stats., to conduct commercial fishing operations on Lake Michigan and Green Bay shall report for the preceding biweekly calendar period to the department in writing on forms provided for this purpose by the 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. The biweekly report shall be post mailed or delivered to the department at the

address provided on the form no later than the Monday following the biweekly reporting period.

(a) Biweekly fishing reports shall include but are not limited to all records of harvest, harvest effort, all wholesale fish sales, and, after July 1, 1990, all retail fish sales.

(b) The biweekly fishing reports shall be carried while fishing by the licensee or by a member of the licensee's crew if the licensee is not present. The information pertaining to the licensee's name, address and license number, date, name and number of the boat fished from, fishing location and depth, fishing effort, gear used and estimated pounds of each fish species caught for each fishing trip shall be recorded on the biweekly fishing reports immediately after completing all net lifts for each trip and before starting to bring the catch to dock or shore. The report shall accompany the fish caught to dock or shore. After a trip's information has been recorded, the report may not be transported for the rest of the day in such a way that it can be altered except to record information pertaining to additional fishing trips taken that day. Biweekly fishing reports shall be filed by each licensee regardless of whether the licensee fished during the period of time covered by the report.

(c) All department copies of biweekly report forms issued to a licensee for the license year and not previously submitted by the licensee shall be returned by the licensee to the department by the final reporting deadline for that license year.

Note: Biweekly fishing report forms are provided by the department to each licensee at the beginning of the license year. Additional forms may be obtained by writing: DNR

107 N. 1st place, Sturgeon Bay, WI 54235

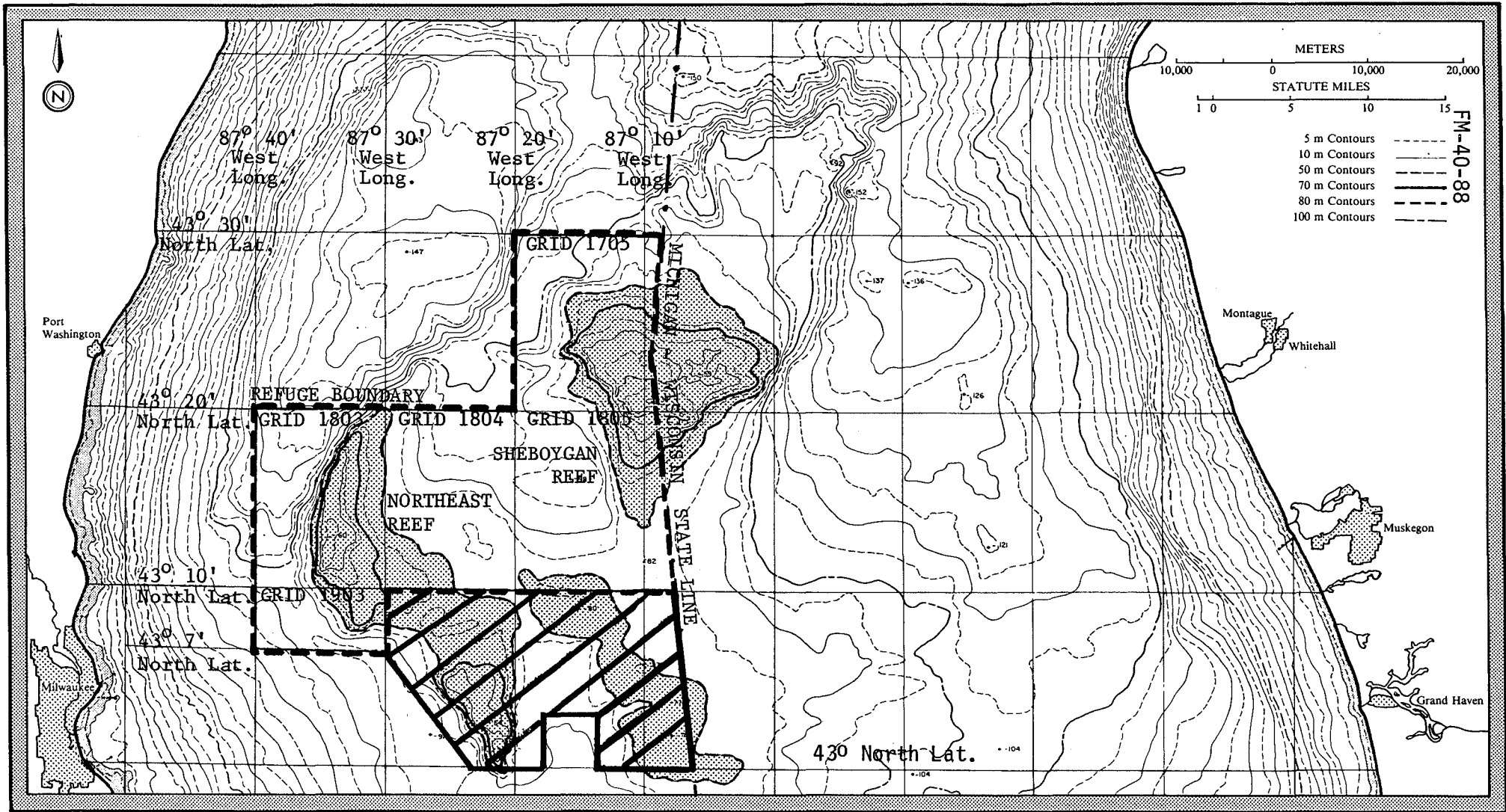
SECTION 32. NR 25.18 is amended to read:

NR 25.18 LANDING OF FISH. Fish and fish parts caught in commercial fishing operations and kept by Wisconsin licensed commercial fishers for sale or other use shall be brought to shore in Wisconsin to one of no more than 2 ports designated by the licensee on his or her Great Lakes commercial fishing license application for open water operations and to one of no more than 2 ports selected by the licensee from a list of ports designated by the department for ice fishing operations unless otherwise authorized in writing by the department or in the case of an emergency, following notice to the nearest U. S. coast guard station.


SECTION 33. NR 26.23(3) is amended to read:

NR 26.23(3) In order to prevent substantial depletion of the fish supply, the following described area in Lake Michigan is established as a fish refuge and no person may take, catch, capture, kill or fish for fish in any manner at any time in or on the following described water area: all waters bounded by a line beginning at the point where 43°7' north latitude and 87°40' west longitude intersect, then ~~preceeding~~ proceeding northerly along 87°40' west longitude to its intersection with 43°20' north latitude, then proceeding easterly along 43°20' north latitude to its intersection with 87°20' west longitude, then proceeding northerly along 87°20' west longitude to its intersection with 43°30' north latitude, then proceeding easterly

along 43°30' north latitude to its intersection with the Wisconsin-Michigan state line, then proceeding southerly along the Wisconsin-Michigan state line to its intersection with ~~43°10'~~ 43° north latitude, then proceeding westerly along ~~43°10'~~ 43° north latitude to its intersection with ~~87°30'~~ 87°14' west longitude, then proceeding ~~southerly~~ northerly along ~~87°30'~~ 87°14' west longitude to its intersection with 43°3' north latitude, then proceeding westerly along 43°3' north latitude to its intersection with 87°18' west longitude, then proceeding southerly along 87°18' west longitude to its intersection with 43° north latitude, then proceeding westerly along 43° north latitude to its intersection with 87°23' west longitude, then proceeding along a straight line northwesterly to its intersection with 43°7' north latitude and 87°30' west longitude, then proceeding westerly along 43°7' north latitude to its intersection with 87°40' west longitude and the point of beginning. This area can be further described as the northern third of grid 1903, the northeastern two thirds of grid 1904 and all of grid 1905 except a rectangular area along its southern border; all of grids 1705, 1803, 1804 and 1805; and the part of grids 1706, ~~and~~ 1806 and 1906 in Wisconsin waters, and encompasses the elevated areas of lake bed commonly known as the Sheboygan reef ~~and~~, the Northeast reef, the Milwaukee reef and the East reef as shown on the following map.



From Bathymetric Chart of Middle Lake Michigan by R. J. Ristic and C. H. Mortimer, Center for Great Lake Studies, University of Wisconsin-Milwaukee

 Proposed addition to refuge.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on February 23, 1989.

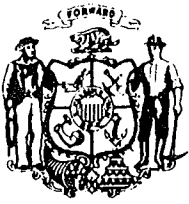
The rules shall take effect on the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22(2)(intro.), Stats.

Dated at Madison, Wisconsin May 5, 1989

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By Carroll D. Besadny  
Carroll D. Besadny, Secretary

(SEAL)



State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

*Carroll D. Besadny*  
Secretary

BOX 7921  
MADISON, WISCONSIN 53707  
1020

May 5, 1989

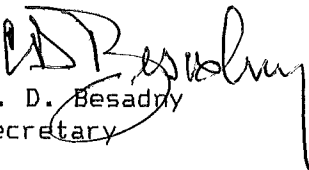
Mr. Orlan L. Prestegard  
Revisor of Statutes  
Suite 702  
30 W. Mifflin Street

Dear Mr. Prestegard:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. FM-40-88. These rules were reviewed by the Assembly Committee on Natural Resources and the Senate Committee on Transportation, Conservation and Mining pursuant to s. 227.19, Stats. A summary of the final regulatory flexibility analysis and comments of the legislative review committees is also enclosed.

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

Sincerely,

  
C. D. Besadny  
Secretary

Enc.

