

CR 88-78

State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

BOX 7921
MADISON, WISCONSIN 53707

STATE OF WISCONSIN)
)
DEPARTMENT OF NATURAL RESOURCES)

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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-20-88 was duly approved and adopted by this Department on August 25, 1988. 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 7th
day of November, 1988.

Bruce B. Braun
Bruce B. Braun, Deputy Secretary

(SEAL)

7-1-89

ORDER OF THE STATE OF WISCONSIN
LAKE MICHIGAN COMMERCIAL FISHING BOARD
AMENDING, REPEALING AND RECREATING
AND CREATING RULES

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.....
IN THE MATTER of amending s. NR 25.07(2)(a)1. .
and 3.(intro.); repealing and recreating s. .
NR 25.07(2)(a)2.a.; and creating s. NR 25.07 .
(2)(a)1m. of the Wisconsin Administrative Code .
pertaining to commercial fishing for chubs in .
Green Bay and Lake Michigan .
.....

FM-20-88

Analysis Prepared by the Department of Natural Resources

Statutory authority: ss. 29.174(3), 29.33(1) and (7), and 227.11(2)(a), Stats.
Statutes interpreted: ss. 29.085, 29.174(2)(a), 29.33(1) and 227.16(2)(e), Stats.

This rule is based on a resolution adopted by the Lake Michigan Commercial Fishing Board on February 18, 1988 pursuant to its authority under s. 29.33(7), Stats., and s. NR 25.07(2)(a), Wis. Adm. Code.

This rule establishes a new criterion for participation by individual licensed commercial fishers in the "racehorse" northern Lake Michigan chub harvest. In order to be issued a northern chub fishing permit in the future, a fisher must have held a northern chub fishing permit for the 1985-1986, 1986-1987 or 1987-1988 license year (as well as meet the current permitting criteria). The Order also divides the annual northern chub harvest quota into three quota periods within the quota year and sets restrictions on the harvest during each period.

SECTION 1. NR 25.07(2)(a)1. is amended to read:

NR 25.07(2)(a)1. Chub A chub fishing permits permit and ~~individual-licensee~~ catch-quotas shall be issued under this subdivision to ~~all-applicants-meeting~~ each applicant who selects the northern chub fishing zone under sub. (3)(d) and meets the following criteria:

- a. Presently is a licensed commercial fishers fisher;
- b. Ownership of Owns a boat of 35 feet in overall length or longer which shall be used by the applicant in fishing under their the applicant's chub permit;
- c. The boat ~~shall-be~~ is equipped with a powered net lifter; and

d. Held a Lake Michigan chub harvest permit for the northern chub fishing zone for the 1985-1986, 1986-1987 or 1987-1988 license year.

SECTION 2. NR 25.07(2)(a)1m. is created to read:

NR 25.07(2)(a)1m. A chub fishing permit and individual licensee catch quota shall be issued under this subdivision to each applicant who selects the southern chub fishing zone under sub. (3)(d) and meets the following criteria:

- a. Is a licensed commercial fisher;
- b. Owns a boat of 35 feet in overall length or longer which shall be used by the applicant in fishing under the applicant's chub permit; and
- c. The boat is equipped with a powered net lifter.

SECTION 3. NR 25.07(2)(a)2.a. is repealed and recreated to read:

NR 25.07(2)(a)2.a. No more than 100,000 pounds of chubs may be harvested during the quota period of July 1 through September 30; no more than 200,000 pounds of chubs may be harvested during the quota period of October 1 through January 15 except that this amount shall be adjusted to include the portion of the allowable harvest for the previous period that is not reported as harvested in that period; and no more than 100,000 pounds of chubs may be harvested during the quota period of March 1 through June 30 except that this amount shall be adjusted to include the portion of the allowable harvest for the previous period that is not reported as harvested in that period.

SECTION 4. NR 25.07(2)(a)3.(intro.) is amended to read:

NR 25.07(2)(a)3. All permittees under subd. ~~1~~ 1m. who select the southern chub fishing zone under sub. (3)(d) shall be subject to the following limitations:

The foregoing rules were approved and adopted by the State of Wisconsin Lake Michigan Commercial Fishing Board on February 18, 1988.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on August 25, 1988.

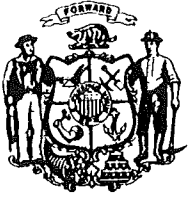
The rules shall take effect on July 1, 1989.

Dated at Madison, Wisconsin November 7, 1988

STATE OF WISCONSIN LAKE MICHIGAN COMMERCIAL FISHING BOARD
and STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By Carroll D. Besadny
Carroll D. Besadny, Secretary
Department of Natural Resources

(SEAL)



State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

November 9, 1988

1020

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

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Dear Mr. Prestegard:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. FM-20-88. These rules were reviewed by the Assembly Committee on Natural Resources and the Senate Committee on Transportation, Tourism and Conservation 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,

A handwritten signature in cursive script that reads "C. D. Besadny".

C. D. Besadny
Secretary

Enc.