

of the fins removed. The measurement of length and weight shall apply without any allowance made for the shrinkage of the fish.

**History:** 1-2-56; am. (1) (a) and (b) and (2) (m), Register, December, 1957, No. 24, eff. 1-1-58; am. (2) (e), Register, June, 1959, No. 42, eff. 7-1-59; r. and recr. (1), am. (2) (m), Register, December, 1961, No. 72, eff. 1-1-62; am. (1) (a), (2) (a), Register, June, 1962, No. 78, eff. 7-1-62; am. (1) (b), Register, November, 1964, No. 107, eff. 12-11-64; am. (1) (a), (b), (g) and (h) and (2) (a), Register, December, 1965, No. 120, eff. 1-1-66.

**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.

**History:** 1-2-56; am. Register, February, 1968, No. 146, eff. 3-1-68.

**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 and unharmed 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.

**History:** 1-2-56; am. Register, February, 1968, No. 146, eff. 3-1-68.

**WCD 25.07 Crayfish.** (1) (a) There shall be an open season on crayfish or crabs in all of the outlying waters from June 16 to the last day of February of the next year and except during this season it shall be unlawful for any person to take, capture or kill, or have in possession or under control any crayfish or crab taken from outlying waters.

(b) During the open season crayfish or crabs may be taken in all outlying waters by the following means only: By hand, by use of minnow seines and minnow dip nets, and by crayfish or crab traps with the entrance to the trap not to exceed 1½ inches in diameter, except that it shall be unlawful to use any crayfish or crab trap in the waters of Sturgeon Bay in Door county.

**History:** 1-2-56; am. (1) (a), Register, December, 1961, No. 72, eff. 1-1-62.

**WCD 25.075 Limited entry; Lake Superior.** Pursuant to authority vested in the state of Wisconsin natural resources board by section 29.33, Wis. Stats., and section 25, chapter 75, laws of 1967, the state of Wisconsin natural resources board finds and determines that the following rules are reasonably necessary in the wise use and conservation and to prevent over-exploitation of fish in the outlying waters of Lake Superior under the jurisdiction of the state of Wisconsin.

(1) Not more than 68 licenses authorizing commercial fishing in Lake Superior shall be issued and effective pursuant to section 29.33,

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Wis. Stats., for the license period beginning July 1, 1968 and ending June 30, 1969.

(2) No applicant shall be eligible for such license unless he shall have held a state of Wisconsin commercial fishing license during each of the 2 year licensing periods immediately preceding and ending June 30, 1968, or unless he shall have been a member or partner in a fishing crew operating in the waters of Lake Superior under a State of Wisconsin commercial fishing license during each of the previous 5 year licensing periods immediately preceding and ending June 30, 1968.

(3) Such licenses shall be issued according to the following residence priorities to applicants otherwise qualified.

- (a) First to residents of counties bordering Lake Superior.
- (b) Next to residents of other counties.
- (c) Next to nonresidents.

(4) Applicants for such licenses shall be at least 21 years of age.

(5) Applications for such licenses shall be filed with the department not later than April 30, 1968 on department forms provided for each purpose.

**History:** Emerg. cr. eff. 3-30-68; cr. Register, May, 1968, No. 149, eff. 6-1-68

**WCD 25.08 Nets: Permitted nets; size of mesh, prohibited nets.**

(1) **GILL NETS.** (a) No gill nets with a mesh greater than 2¾" 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.

(b) Gill nets with a mesh of not less than 2½ inches nor more than 2¾ inches, and not to exceed 35 meshes deep, may be used for the taking of herring, chubs, perch, menominees and smelt in the waters of Lake Michigan and northern Green Bay, except that smelt may be taken as specified under section WCD 25.08 (1) (p) and herring under the ice as set forth in WCD 25.08 (1) (d). The setting or placing of such nets in water less than 15 fathoms is prohibited for a period of 5 days just prior to the opening of the perch season.

(c) During the period from November 1 to November 30 in each year, no set hooks or gill nets other than gill nets with a mesh of not less than 2½ inches or not more than 2¾ inches, shall be set, placed or operated in the waters of Lake Michigan or northern Green Bay except under permit from the Wisconsin Conservation Commission or its duly authorized agents.

(d) In the waters of southern Green Bay and northern Green Bay, gill nets, not more than 60 meshes deep and with a mesh of not less than 2¾ nor more than 2¾ inches flexible rule measure may be used at all times for the purpose of taking herring only, provided that the bottom maitre or lead lines will be at least 1 fathom (6 ft.) from the bottom. During the period from September 1 to January 20 each year, such nets may be set on the bottom.

(f) In the waters of southern Green Bay, the size of mesh of all new gill nets and new gill netting used for the purpose of taking herring, chubs, perch, menominees, and smelt shall be not less than 2½ inches and not more than 2¾ inches. In actual fishing operations, gill nets having a mesh of not less than 2¾ inches and not more than 2¾ inches, and not to exceed 60 meshes deep, may be used or possessed for the purpose of taking herring, chubs, perch, menominees,

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and smelt from the waters of southern Green Bay, except that smelt may be taken as specified under section WCD 25.08 (1) (p) and herring under the ice as set forth in section WCD 25.08 (1) (d).

(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 2¾" may be used only under permit pursuant to section 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.

(j) In the waters of Lake Superior, gill nets with a mesh of not less than 2¾ inches and not more than 2¾ inches may be used for the taking of herring, menominees, smelt, perch, or longjaws; except that gill nets with a mesh of any size may be used for the taking of longjaws, herring, smelt and menominees from November 1 to December 31. The depth or width of such nets shall be not more than 35 meshes, except as provided for herring float nets.

(k) In the waters of Lake Superior, during that period each year extending from the time the ice goes out until July 14, gill nets with a mesh of not less than 2¾ inches nor more than 2¾ inches and not more than 35 meshes deep may be used, set, placed or operated only in waters of a depth not less than 40 fathoms for the purpose of taking longjaws and herring.

(m) In the waters of Lake Superior, no person shall use, set, place, or operate any gill net or gill nets with a mesh of less than 4½ inches, from July 15 to September 1 of each year, except that bait nets may be used to obtain bait for set hooks and float nets as provided in section WCD 25.08 (1) (n).