

NR 25.07 Individual licensee catch quotas. (1) LAKE SUPERIOR. (a) The allotment of catch quotas as established in s. NR 25.06 to individuals holding licenses authorizing commercial fishing on Lake Superior shall be upon application in accordance with sub. (3), as follows:

1. Each commercial fisher licensed under s. 29.33, Stats., shall receive an individual quota of 4,400 pounds of lake trout; except
2. Each such licensed fisher who fishes with pound or trap nets only shall receive a quota of lake trout in the amount of 3,200 pounds.
3. Whenever that quantity of lake trout allocated in subds. 1. and 2. exceeds the total allowable commercial harvest, individual allocations shall be reduced on a pro rata basis.

(2) LAKE MICHIGAN. (a) The allotment of catch quotas as established in NR 25.06 to individuals holding licenses authorizing commercial fishing on Lake Michigan and Green Bay shall be by the Lake Michigan commercial fishing board upon application in accordance with sub. (3) and the following criteria:

1. Chubs. a. Lake Michigan chub permits shall be issued to all applicants meeting the following criteria:

- 1) Presently licensed commercial fishers;
- 2) Ownership of a boat of 35 feet in overall length or longer;
- 3) The boat shall be equipped with a powered net lifter.

b. All fishers meeting the criteria in subd. a. shall be eligible for entry upon application with the following limitations;

1) In those waters commonly referred to as the southern chub fishing area, no more than 450,000 pounds of chubs may be harvested during each of the 3-month periods encompassed by the months of July, August and September, the months of October, November and December, and the months of April, May and June respectively.

2) In those waters commonly referred to as the northern chub fishing area, no more than 100,000 pounds of chubs may be harvested during each of the 3-month periods encompassed by the months of July, August and September, and the months of October, November and December respectively.

3) Should the remaining allowable harvest as of December 31 exceed $\frac{1}{2}$ of the annual allowable harvest, the excess portion shall be allotted to all permittees who reported fishing for chubs during the license year on a pro rata basis, based on their individual reported catches during the period July 1 through December 31.

4) No more than $3\frac{1}{2}\%$ of the total quota may be taken by any one vessel or licensee during the license year.

5) In those waters commonly referred to as the southern chub fishing area no permittee may take more than 40% of the maximum established in subpar. b. 4) during any 3-month fishing period.

6) Licensees possessing a valid chub permit issued under this section may, during the closed season for chubs, possess incidentally caught chubs. A maximum of 1% of the total daily catch by weight may be

brought to shore and sold. Such incidental catch may only be taken in gear authorized by this chapter and used for taking smelt. Such saleable incidentally caught chubs will be applied against the chub quota allotted to the permittee and will be reported as required in subpar. c. All non-saleable chubs will be accounted for and tagged according to written procedures provided by the department.

c. Each permit holder shall submit weekly reports on forms provided by the department. The weekly reports shall be mailed to the department at the address provided on the forms and shall be postmarked no later than the Monday following the weekly report period during the open season. Weekly reports shall be filed by each permit holder regardless of whether the permit holder fished or not.

d. The department shall notify all permit holders to cease fishing upon receipt of information that 85% of the 3-month quota as established in subd. b. 1) and 2) has been harvested except that all nets in the water shall be lifted under s. NR 25.08 (2) (a) 9., and fish therein harvested.

e. The quota for the following 3-month period shall be adjusted based on the actual reported catch of the previous 3-month period.

(3) Applications for individual license year catch quotas shall be made on forms provided by the department and filed with it as designated on those forms no later than March 15 preceding the license year for which a quota is requested.

(4) The harvest quota established by the department from which individuals may be allotted quotas shall not include that poundage reserved for assessment purposes in NR 25.06.

(5) Individual catch quotas determined and issued in accordance with this section shall be issued on a license year basis and be valid only during the open season for the species of fish subject to a harvest quota and only for so long as the applicant holds a valid license authorizing commercial fishing in the waters to which the applicant's quota applies.

(6) Individual catch quotas may not be transferred to another valid licensee authorized to engage in commercial fishing in the waters to which the applicant's quota applies without review and approval of the commercial fishing board which allotted the quota to the applicant.

History: Cr. Register, September, 1976, No. 249, eff. 10-1-76; emerg. r. and recr. and cr. (2) (a) 1. eff. 5-16-79; r. and recr. Register, October, 1979, No. 288, eff. 11-1-79; r. and recr. (2) (a) 1., Register, June, 1981, No. 306, eff. 7-1-81; emerg. am. (1) (a), eff. 6-24-81; am. (1) (a), Register, August, 1981, No. 308, eff. 9-1-81; emerg. cr. (2) (a) 1. b. 6), eff. 1-2-82; am. (2) (a) (intro.) Register, April, 1982, No. 316, eff. 5-1-82; emerg. am. (2) (a) 1.b. and c., eff. 7-1-82; am. (2) (a) 1.b. and c. and (3), Register, September, 1982, No. 321, eff. 10-1-82; cr. (2) (a) 1.b.6), Register, February, 1983, No. 326, eff. 3-1-83.

NR 25.08 Restricted areas and legal commercial fishing gear. (1)
The following are legal commercial fishing gear when used in the manner provided and areas designated.

(2) LAKE MICHIGAN AND GREEN BAY. (a) Gill nets:

1. Gill nets with a mesh size of not more than 1¼" stretch measure for the taking of smelt only.

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2. Gill nets with a mesh size of $2\frac{3}{8}$ " to $2\frac{1}{2}$ " stretch measure in the water of southern Green Bay only.

3. Gill nets with a mesh size of $2\frac{1}{2}$ " to $2\frac{3}{4}$ " stretch measure except such nets may not be used for the taking of chubs in those waters of Lake Michigan lying between a line running due east from the entrance of Kewaunee harbor and a line running due east from the red navigational buoy marking the entrance of Baileys Harbor and in northern Green Bay.

4. Gill nets of $2\frac{3}{4}$ " stretch measure or less shall not exceed 60 meshes in depth.