

2. The total allowable commercial harvest of whitefish in Lake Michigan and Green Bay may not exceed 1,300,000 pounds in any license year, with no more than 118,695 pounds to be taken from zone 1, 1,068,255 pounds from zone 2 and 113,050 pounds from zone 3.

(3) **TAGGING OF FISH.** All fish species or subspecies required to be tagged in accordance with this section shall be tagged with tags furnished or authorized by the department before being brought to any dock or shore when fishing in open water and before being transported when fishing with nets under ice. Such fish shall be individually tagged.

(a) Tags authorized shall be approved in writing by the secretary of the department and shall conform to the following minimum specifications:

1. Tags shall be individually, serially numbered in nonrepeating number series.

2. Tags shall be color-coded by year in a color which does not repeat in the next consecutive year.

3. Tags shall include an appropriate state or tribal identification.

4. Tags shall only be ordered in a number sufficient to limit the harvest to a biologically determined quota.

5. Issuing authorities shall maintain records of tag allotments to individual fishers by tag serial numbers. Tag records shall be open to inspection by state conservation wardens during regular office hours.

6. Tags are valid for use only for the license season.

(b) Untagged fish may not be left unattended.

(c) Untagged fish may not be transferred between watercraft.

(d) Tags shall be locked and remain attached to fish until prepared for final consumption. Tags shall remain with smoked or filleted fish until sold to final consumers. Commercial fishers of the outlying waters or licensed wholesale fish dealers shall not be considered final consumers and must be in possession of tags for smoked and filleted fish.

(e) Tags provided or authorized by the department for tagging fish may not be transferred.

(f) No person may possess or use tags furnished or authorized by the department for tagging fish which have been modified or tampered with.

(g) No treaty fisher may lift nets in Wisconsin waters while in possession of tags issued by a tribe or another state for fish taken in Michigan waters.

(4) **ALLOCATION.** The harvest quotas established shall be allocated to individual commercial fishing licensees in accordance with s. NR 25.07.

(5) **CATCH FEES.** Catch fees to be charged for commercial harvest of fish species whose populations are sustained or supplemented through stocking shall be determined and assessed as follows:

(a) The department shall determine catch fees annually for each fish species population subject to this subsection and shall provide this information upon request by February 15 of each year.

(b) The catch fee for a given fish species population shall be equivalent to the department's direct cost in providing those fish for commercial harvest.

(c) Catch fees shall be charged on a per fish harvested basis.

(d) Catch fees shall be collected through the sale of fish tags furnished or authorized by the department in accordance with sub. (3) at offices indicated on the quota applications provided under s. NR 25.07 (3). The total number of tags that may be purchased by an individual licensee shall be equivalent to that licensee's individual catch quota as determined in accordance with s. NR 25.07.

(e) Unused fish tags purchased in accordance with par. (d) shall be returned by the licensee to the department at the office where purchased within 15 days of the end of the open season for that fish species population. The department shall return the catch fees paid by that licensee for those unused fish tags.

History: Cr. Register, September, 1976, No. 249, eff. 10-1-76; emerg. am., eff. 5-16-79; am. Register, October, 1979, No. 286, eff. 11-1-79; am. (2) (a), Register, May, 1981, No. 305, eff. 7-1-81; emerg. am. (1) (b) to (d) and (f), r. (1) (e), eff. 7-1-81; am. (1) (b) to (d) and (f), r. (1) (e), Register, August, 1981, No. 308, eff. 9-1-81; emerg. am. (2) (a), eff. 7-1-82; am. (2) (a), Register, September, 1982, No. 321, eff. 10-1-82; am. Register, October, 1982, No. 322, eff. 11-1-82; am. (2) (a) and cr. (2) (b), Register, April, 1983, No. 328, eff. 5-1-83; am. (2) (a) 1. and (3) (f), renum. (2) (a) 3. to be (2) (a) 4., cr. (2) (a) 3., Register, June, 1983, No. 330, eff. 7-1-83; am. (2) (b) 1., Register, June, 1984, No. 342, eff. 7-1-84; am. (2) (a) 1. to 3., Register, July, 1984, No. 343, eff. 8-1-84; reprinted to correct error in (2) (a) 2., Register, August, 1984, No. 344; emerg. am. (1) (a), eff. 1-2-86; emerg. cr. (3) (a) and (g), eff. 4-22-86; emerg. am. (1) (a) 3, eff. 5-1-86; r. and recr. (1) (a), Register, July, 1986, No. 367, eff. 8-1-86; am. (2) (a) 1. to 3. and (b) 1., cr. (2) (c) and (3) (a) and (g), Register, October, 1986, No. 370, eff. 11-1-86; emerg. am. (1) (a) 1. to 3., eff. 3-10-87; am. (1) (a) 1. to 3., Register, December, 1987, No. 384, eff. 1-1-88; am. (2) (c) 3., Register, April, 1988, No. 388, eff. 5-1-88; am. (2) (b) (intro.) and 1., (c) 1., a. (2) (b) 2. and 3., (2) (d) and (e), Register, June, 1989, No. 402, eff. 7-1-89; am. (2) (b) 1., Register, January, 1990, No. 409, eff. 2-1-90; emerg. am. (1) (a) 1. to 4., eff. 11-28-90; emerg. am. (2) (c) (intro.) and 1., r. (2) (c) 2. and 3., eff. 4-1-91; am. (2) (b) 1., Register, June, 1991, No. 426, eff. 7-1-91; am. (1) (a) 1. to 4., Register, July, 1991, No. 427, eff. 8-1-91; am. (2) (c) (intro.) and 1., r. (2) (c) 2. and 3., Register, August, 1991, No. 428, eff. 9-1-91; am. (2) (a) 1. and 2. and (e) 2., Register, March, 1992, No. 435, eff. 4-1-92; emerg. am. (2) (b) 1. eff. 7-1-94; am. (2) (b) 1., Register, January, 1995, No. 469, eff. 2-1-95; am. (2) (a) 2., cr. (2) (c) 2., Register, February, 1995, No. 470, eff. 3-1-95.

NR 25.07 Individual licensee catch quotas. (1) **LAKE SUPERIOR.** The allotment of harvest quotas as established in s. NR 25.06 (1) to individual licensed commercial fishers on Lake Superior shall be by the Lake Superior commercial fishing board upon application in accordance with sub. (3), and as follows:

(a) *Lake trout.* 1. Each licensed commercial fisher shall receive an equal share of the annual lake trout harvest quota established under s. NR 25.06 (1) (a) 2.

2. Allocation of the lake trout quota to individual licensees shall be by issuance of appropriate tags by the department.

(2) **LAKE MICHIGAN AND GREEN BAY.** The allotment of harvest quotas as established in s. NR 25.06 (2) to individual licensed commercial fishers on Lake Michigan and Green Bay shall be by the Lake Michigan commercial fishing board upon application in accordance with sub. (3), as follows:

(a) *Chubs.* 1. A chub fishing permit shall be issued under this subdivision to each applicant who selects the northern chub fishing zone under sub. (3) (d), is a licensed commercial fisher and held a Lake Michigan Register, February, 1995, No. 470