

**ORDER OF THE STATE OF WISCONSIN
NATURAL RESOURCES BOARD
AMENDING AND CREATING RULES**

The Wisconsin Natural Resources Board adopts an order to amend NR 25.09(2)(b)2.a., b. and e. and creating NR 25.09(2)(b)2.f. relating to commercial fishing in Lake Michigan

FH-46-02

Analysis Prepared by the Department of Natural Resources

Statutory authority: ss. 29.041, 29.014(1), 29.519(1)(b) and 227.11(2)(a), Stats.
Statutes interpreted: ss. 29.041, 29.014(1) and 29.519(1)(b), Stats.

SECTION 1. limits the use of entrapment nets in Lake Michigan south of 44°52'30" north latitude between June 28 and Labor Day to waters deeper than 75 feet.

SECTION 2. reduces from 12 to 3 the number of entrapment nets that each licensed commercial fisher may use in Lake Michigan in the area south of 44°52'30" north latitude between June 28 and Labor Day.

SECTION 3. allows the use of entrapment nets in 2 areas of Lake Michigan south of 44°52'30" north latitude June 28 and Labor Day.

SECTION 1. NR 25.09(2)(b)2.a. is amended to read:

NR 25.09(2)(b)2.a. Only when the pot or crib is set, placed or operated in water not more than 150 feet (25 fathoms) deep and from June 29 to Labor Day south of a line extending from the Lake Michigan shoreline along 44°52'30" north latitude only when the pot or crib is set, placed or operated in water not less than 75 feet (12.5 fathoms).

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

NR 25.09(2)(b)2.b. ~~May be used up to~~ No more than 12 pound nets or and trap nets in aggregate may be used by each licensed commercial fisher, that being the maximum number of pots or cribs allowed, except that from June 29 to Labor Day no more than 3 pound nets and trap nets in aggregate may be used by each licensed commercial fisher in the waters of Lake Michigan lying south of a line extending from the Lake Michigan shoreline along 44°52'30" north latitude.

SECTION 3. NR 25.09(2)(b)2.e. is amended to read:

NR 25.09(2)(b)2.e. May be used to take fish in the waters of Lake Michigan lying ~~south of~~ between a line extending from the Lake Michigan shoreline along 44°52'30" north latitude and a line extending from the Lake Michigan shoreline along 44°8'55" north latitude, between a line extending from the Lake Michigan shoreline along 44°5'33" north latitude and a line extending from the Lake Michigan shoreline along 43°40'50" north latitude, and south of a line extending from the Lake Michigan shoreline along 43°34'39" north latitude only during the period including the day after Labor Day to June 28. Unless the department has granted an extension of time, the webbing shall be removed from the water by June 28 and may not be reinstalled until the day after Labor Day. If adverse weather conditions or unanticipated equipment problems prevent removal of the webbing by June 28, a licensee may request and the department may grant a brief extension of time sufficient to allow safe removal.

SECTION 4. EFFECTIVE DATE. This rule 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.

SECTION 5. BOARD ADOPTION. This rule was approved and adopted by the State of Wisconsin Natural Resources Board on May 28, 2003.

Dated at Madison, Wisconsin _____.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By _____
Scott Hassett, Secretary

(SEAL)