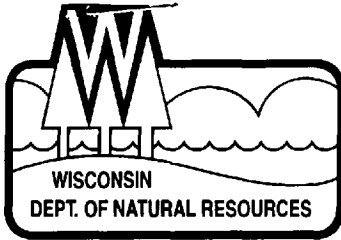


Clearinghouse Rule 00-178

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES



Scott McCallum, Governor
Darrell Bazzell, Secretary

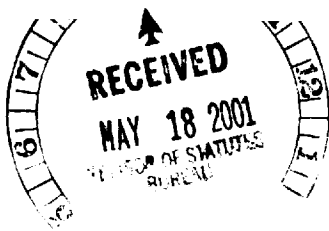
101 S. Webster St.
Box 7921
Madison, Wisconsin 53707-7921
Telephone 608-266-2621
FAX 608-267-3579
TTY 608-267-6897

STATE OF WISCONSIN)
) ss
DEPARTMENT OF NATURAL RESOURCES)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Darrell Bazzell, 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. FH-48-00 was duly approved and adopted by this Department on March 28, 2001. 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.

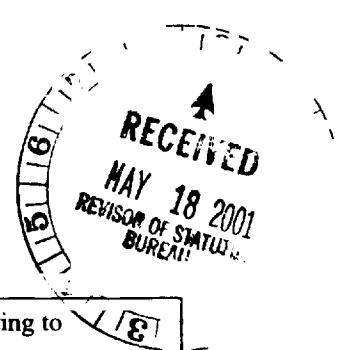
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at the Natural Resources Building in the City of Madison, this 16th day of May, 2001.



Darrell Bazzell
Darrell Bazzell, Secretary

(SEAL)

ORDER OF
THE STATE OF WISCONSIN NATURAL RESOURCES BOARD
AMENDING RULES



The Wisconsin Natural Resources Board adopts an order to amend NR 25.03(2)(b)3.a. and b. relating to licensing commercial fishers on Lake Michigan

FH-48-00

Analysis Prepared by Department of Natural Resources

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

This order changes the requirements for annual relicensing of commercial fishers on Lake Michigan. In order to identify inactive licensees, persons who apply for annual renewal of commercial fishing licenses for Lake Michigan must meet several criteria. Since 1989, one key criterion has been the minimum annual catch requirement.

To qualify for relicensing, each licensee must have reported a minimum harvest of smelt or (in combination) yellow perch, whitefish, menominees and chubs during the previous license year. (Because the wording of s. NR 25.03 refers to the year for which licensing is requested as the current year, the year during which the renewal application is made is referred to as the "previous" year.) To satisfy the minimum catch requirement using smelt, a licensee must have reported a harvest of at least 147,870 from zone 1 or 76,770 from zone 3. To satisfy the minimum catch requirement using the other species in combination, a licensee must have reported, in at least one of the three commercial fishing zones, a combined harvest that exceeds either of two numbers: 1) a zone-specific poundage specified in the rule or 2) a computed poundage based on the harvests of all fishers during the year before the preceding year.

Under the revised rule, an alternate computed minimum catch is established for smelt and the alternate minimum catch requirement for the four species in combination would be computed based on harvests by all fishers during the most recent 12-month period, i.e., June of the preceding year through May of the year of the application. The revised rule will make it easier to meet the minimum catch requirement when commercial harvests decline.

SECTION 1. NR 25.03(2)(b)3.a. and b. are amended to read:

NR 25.03(2)(b)3.a. Smelt of at least 147,870 ~~total pounds from zone 1 or 76,770 total pounds from zone 3~~ or X1 total pounds, whichever is less, from zone 1, or 76,770 or X3 total pounds, whichever is less, from zone 3, where X1 and X3 = 30 times the average reported total daily harvest of smelt taken by trawls from zone 1 or 3, respectively, by all licensed commercial fishers during the 12 months preceding June 1 of the previous license year.

b. Yellow perch, menominees, whitefish, chubs or any combination of these species of at least 3,570 or X1 total pounds, whichever is less, from zone 1, 13,656 or X2 total pounds, whichever is less, from zone 2, or 19,638 or X3 total pounds, whichever is less, from zone 3, where X1, X2, and X3 = 30 times the average reported total daily harvest of yellow perch, menominees, whitefish and chubs from zone 1, 2 or 3, respectively, by all licensed commercial fishers during the ~~license year preceding 12~~ months preceding June 1 of the previous license year.

The foregoing rules were approved by the State of Wisconsin Natural Resources Board on March 28, 2001.

The rules contained herein 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.

Dated at Madison, Wisconsin May 16, 2001

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By Darrell Bazzell
Darrell Bazzell, Secretary

(SEAL)



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Scott McCallum, Governor
Darrell Bazzell, Secretary

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May 11, 2001

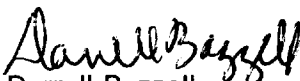
Mr. Gary L. Poulson
Assistant Revisor of Statutes
131 West Wilson Street - Suite 800
Madison, WI

Dear Mr. Poulson:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. FH-48-00. These rules were reviewed by the Assembly Committee on Natural Resources and the Senate Committee on Environmental Resources pursuant to s. 227.19, Stats. Summaries of the final regulatory flexibility analysis and comments of the legislative review committees are also enclosed.

You will note that this order takes effect following publication. Kindly publish it in the Administrative Code accordingly.

Sincerely,


Darrell Bazzell
Secretary

Enc.

