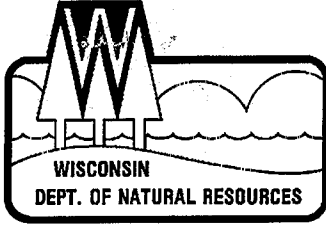


Clearinghouse Rule 96-160



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary

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101 South Webster Street
Madison, Wisconsin 53707-7921
TELEPHONE 608-266-2621
FAX 608-267-3579
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STATE OF WISCONSIN)
)
DEPARTMENT OF NATURAL RESOURCES) ss

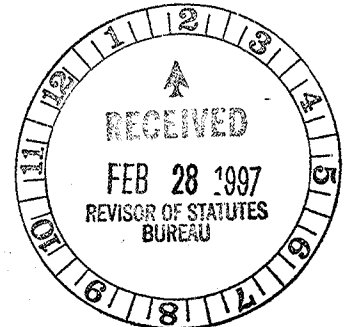
TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, George E. Meyer, 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. FM-48-96 was duly approved and adopted by this Department on December 4, 1996. 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 25th day of February, 1997.

George E. Meyer
George E. Meyer, Secretary

(SEAL)



96-160

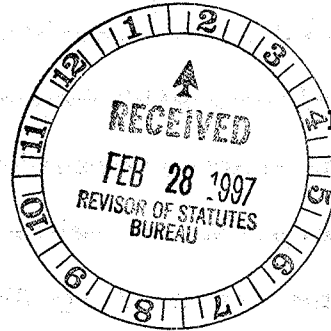
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Quality Natural Resources Management
Through Excellent Customer Service



ORDER OF
THE STATE OF WISCONSIN NATURAL RESOURCES BOARD
AMENDING RULES

The Wisconsin Natural Resources Board adopts an order to amend ss. NR 25.02 (21), 25.05 (1) (d), 25.06 (2) (e) 2., and 25.07 (2) (a) 2. a., relating to commercial fishing for whitefish and chubs in Green Bay and Lake Michigan



Analysis Prepared by the Department of Natural Resources

Statutory authority: ss. 29.085, 29.174(3), 29.33(1) and 227.11(2)(a), Stats.

Statutes interpreted: ss. 29.085, 29.174(2)(a) and 29.33(1), Stats.

The order affects Green Bay and Lake Michigan commercial fishing rules.

SECTIONS 1, 2 and 4 pertain to commercial fishing for chubs. SECTION 1 redefines the northern chub fishing zone to close the Green Bay portion of the zone and expand the Lake Michigan portion of the zone. SECTION 2 opens the northern chub fishing zone to chub fishing during the period from January 16 to the end of February, but limits fishing during that period to depths of 60 fathoms or deeper. SECTION 4 transfers to the fall and winter harvest period for the northern chub fishing zone a portion of the harvest now allowed during the spring harvest period.

SECTION 3 increases the total allowable annual harvest of whitefish from zones 1, 2, and 3 from 1,450,000 pounds to 1,770,000 pounds.

SECTION 1. NR 25.02(21) is amended to read:

NR 25.02(21) "Northern chub fishing zone" means those waters of Lake Michigan lying north of a line extending from the mid-channel marker buoy of Baileys Harbor on a 135°

bearing, and east of a line extending through the marker buoy on Fisherman Shoal on a 23° bearing, and those waters of Green Bay bounded by a line beginning at the intersection of $45^{\circ} 15'$ north latitude with the westerly shore of Door county, Wisconsin, then proceeding west along $45^{\circ} 15'$ north latitude to its intersection with $87^{\circ} 10'$ west longitude, then proceeding north along $87^{\circ} 10'$ west longitude to its intersection with the Wisconsin-Michigan state line, then proceeding east along the Wisconsin-Michigan state line to its intersection with $86^{\circ} 49'$ west longitude, then proceeding south along $86^{\circ} 49'$ west longitude to its intersection with the north shore of Rock island, Door county, Wisconsin then proceeding along the west shore of Rock island to the southwesternmost landpoint, then proceeding in a straight line extending to the nearest landpoint on Washington island, then south along the west shore of Washington island to the intersection of the northern Green Bay Lake Michigan line, then south along the northern Green Bay Lake Michigan line to its intersection with $45^{\circ} 20'$ north latitude, then proceeding west along $45^{\circ} 20'$ north latitude to its intersection with $87^{\circ} 00'$ west longitude, then proceeding south along $87^{\circ} 00'$ west longitude to its intersection with the Door County, Wisconsin shoreline, then following the shoreline to the point of beginning from the point where the line extending on a 135° bearing from the mid-channel marker buoy of Baileys Harbor

intersects the 35 fathom contour, to the easternmost point of Rock Island, then following the northeast shore of Rock Island to the northernmost point of Rock Island, then proceeding north to the Wisconsin-Michigan state line.

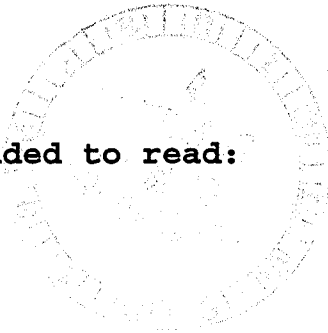
SECTION 2. NR 25.05(1)(d) is amended to read:

Species	A Green Bay	B Lake Michigan	C Lake Superior
(d) Chubs	No open season except September 1 to January 15 and March 1 to May 31 in that portion of Green Bay in the northern chub fishing zone	March 1 to January 15. From January 16 to the end of February in the southern chub fishing zone in water 60 fathoms deep or deeper, subject to ss. NR 25.06(2)(a), 25.07(2)(a) and 25.09.	At all times

SECTION 3. NR 25.06(2)(e)2. is amended to read:

NR 25.06(2)(e)2. The total allowable commercial harvest of whitefish in Lake Michigan and Green Bay may not exceed ~~1,450,000~~ 1,770,000 pounds in any license year, with no more than ~~132,390~~ 161,606 pounds to be taken from zone 1, ~~1,191,510~~ 1,454,454 pounds from zone 2 and ~~126,100~~ 153,940 pounds from zone 3.

SECTION 4. NR 25.07(2)(a)2.a. is amended to read:



NR 25.07(2)(a)2.a. No more than 150,000 pounds of chubs may be harvested during the quota period of July 1 through September 30; no more than ~~250,000~~ 300,000 pounds of chubs may be harvested during the quota period of October 1 through ~~January 15~~ the end of February except that this amount shall be increased to include the portion of the allowable harvest for the previous period that is not reported as harvested in that period or decreased by the amount the reported harvest during the previous period exceeded the harvest limit for that period; and no more than ~~200,000~~ 150,000 pounds of chubs may be harvested during the quota period of March 1 through June 30 except that this amount shall be increased to include the portion of the allowable harvest for the previous period that is not reported as harvested in that period or decreased by the amount the reported harvest during the previous period exceeded the harvest limit for that period.

The foregoing rules were approved by the State of Wisconsin Natural Resources Board on December 4, 1996.

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 February 25, 1997.

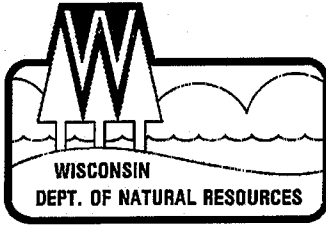
STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES



(SEAL)

By

George E. Meyer
George E. Meyer, Secretary



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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George E. Meyer, Secretary

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February 25, 1997

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

Gary
Dear Mr. Poulson:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. FM-48-96. These rules were reviewed by the Assembly Committee on Natural Resources and the Senate Committee on Agriculture and 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,

George
George E. Meyer
Secretary

Enc.

