

## REPORT TO LEGISLATURE

NR 25.05(1)(d), Wis. Adm. Code  
Commercial fishing open seasons in Lake Michigan for chubs

Board Order No. FH-35-06  
Clearinghouse Rule No. 06-111

### Basis and Purpose of the Proposed Rule

The proposed rule would repeal a sunset clause pertaining to commercial fishing for chubs in Lake Michigan. Natural Resources Board Order No. FH-34-01 (Clearinghouse Rule No. 01-145) revised commercial fishing depth limits, but included a sunset provision by which the changes would expire on July 1, 2007. That rule proposal was implemented in an attempt to address the concerns of commercial fishers to give them access to safer, more productive and convenient fishing areas during the winter while also reducing the incidental take of lake trout. The proposed rule would allow the present rules to continue indefinitely. Under those rules, the minimum depth for commercial chub nets is 45 fathoms from January 16 through April 25. If the proposed rule is not adopted and the sunset clause is allowed to take effect, minimum depths would vary by area and season; during January 16 through the end of February the minimum depth would be 55 fathoms in the northern chub fishing zone and 60 fathoms in the southern chub fishing zone and during March 1 through April 25 the minimum depth would be eliminated.

### Summary of Public Comments

No comments were received.

### Modifications Made

No modifications were made as a result of public comments.

### Appearances at the Public Hearing

No one appeared at the public hearing.

### Changes to Rule Analysis and Fiscal Estimate

No changes were made.

### Response to Legislative Council Rules Clearinghouse Report

No modifications were suggested by the Rules Clearinghouse.

### Final Regulatory Flexibility Analysis

No additional compliance or reporting requirements will be imposed as a result of these rule changes. The rule that has been in effect since 2002 will remain in effect.