

DRAFT
LAKE MICHIGAN COMMERCIAL FISHING BOARD
MEETING

October 7, 2024

Hybrid Meeting of in-person and video

1. Organizational Matters:

2. Call to Order:

Chairman Charlie Henriksen called the meeting to order at 5:30 P.M. Charlie mentioned that we were going to take several items out of order on the agenda.

Approval of Agenda by seconded by. LMCFB All Aye.

Members Present: Charlie Henriksen, Mark Maricque, Mike LeClair, Todd Stuth, Brett Schwarz, Dan Pawlitzke.

Member Absent: Rick Johnson.

DNR Staff Present: Miranda Westphal, Brad Eggold, Nick Leger, Ryan Propson, Robert Stroess.

Anonymous Attendee: none

Other Attendees Present: Will Henriksen, Dennis Hickey, Jerome Donohoe, Roger Vander Logt, Dan Dombrowski – UWSP- Professor, jerry fetterer, Chris Peterson.

3. Approval of the Agenda; Dan Pawlitzke seconded by Mark Maricque, those present voted Aye.

4. Approval of minutes of June 18, 2024; Motion made by Todd Stuth, seconded by Mike LeClair, those present voted Aye.

5. Discussion Items:

A. UWSP Lake Whitefish projects Update:

Dan Dombrowski UWSP Professor, mentioned that **Phase 1** telemetry tagging, which began in the Fall of 2017 & Spring 2018 is proceeding into tributaries using the fish's sex, size, genetic stock, in which a paper will be forthcoming describing their efforts and results. **Phase 2** will finish tagging in 2024. The tagging, with plot where the fish migrate and swim patterns, however, the tagging relies on safe ice to tag these fish. **Phase 3**, will be located in the Northern portion of the Bay of Green Bay and into Lake Michigan. They will utilize 78 receivers from approximately Kewaunee down to Sheboygan areas. The tags are typically returned by Commercial Fishers and Sport Fishers. The grant was from the Great Lakes Fish Preservation Act for tagging of these fish.

B. Moving commercial and crew licensing into Go Wild (DNR Staff):

The Electronic Fish Reporting System (EFHRS) software will be moved from the DNR to the Wisconsin Department of Administration (DOA), as a consolidation effort. The software titled "Go Wild" will be on the DNR web site, however the software will have a centralized management within the DOA. This license change will be effective for the 2026 Season. Miranda Westphal reported that there are 42 active Commercial Fishing Licenses for Lake Michigan and

Lake Superior. Current Licenses cost is \$900 per boat plus \$25 for each additional boat, plus \$25 for a Rough Fish Harvest Contract.

C. New Float Plan setup (DNR Staff):

The Float Plan programming has changes, however the phone number has NOT changed. The software program of WHMAS identification number and password will be transitioned to "My Wisconsin ID" by January 2025. Nothing will change on EFHRS.

D. Lake Trout Scope Statement (DNR Staff):

Brad Eggold mentioned that the process would be the same as other Scope Statements.

1. The LMCFB Lake Trout Position: The intention is to release the Lake Trout Scope Statement prior to December 2024 at the NRB meeting. Identify a portion of the Lake Trout Harvest Surplus, as an emergency rule in order that those fish can be studied. The Lake Trout Working Group Meeting will be the same as in the June 18, 2024 minutes of having independent reporting, creel surveys, commercial By-Catch data, etc.

E. Trawl Rule Review (DNR Staff):

Listed below is an **example** presentation from LE Robert Stroess, DNR as it pertains to the 10% Rule:

i: Here is a summary of the 10% bycatch rule which is under section NR 25.09(5) Wis. Adm. Code. There are two parts/concepts to recognize:

- Part 1 – Applies year-round to gill nets, encircling nets, and all trawls
- Part 2 – Applies only during August and ONLY to whitefish trawl

Specifics of each part:

- Part 1 – Applies year-round to gill nets, encircling nets, and all trawls (not just whitefish trawl)
 - If illegal fish is 10% or more (by weight or numbers) of total legal catch then cannot fish the same day unless . . .
 - Option 1 – Move 3 miles
 - Option 2 – Move to a depth that is at least 30 feet different
- Part 2 – Applies only during August and ONLY to a whitefish trawl
 - If illegal fish is 10% or more (by weight or numbers) of a single drag then same options as Part 1 above.
 - Daily average over an entire week of combined amount of illegal fish AND released whitefish is 10% to 49.9% by weight (NOT by numbers) of the reported harvest of landed whitefish then must move 6+ miles the entire next week.
 - If combined amount of illegal fish AND released whitefish is more than 50% by weight (NOT by numbers) of the reported harvest of landed whitefish in a single day then no trawling at all the following 3 days
 - If Lake Sturgeon are caught:
 - 1 lake sturgeon in a single day – No movement required (Not specifically listed in the code but important to understand that this does nothing).
 - 2 lake sturgeon in a single day – No movement required (Not specifically listed in the code but important to understand that this does nothing).

- 2 or more lake sturgeon per day of fishing on average over an entire week, then must move 6+ miles the entire following week
- 3 or more lake sturgeon in a single day . . . Must stop trawling and no trawling at all the following 3 days

LeClair mentioned that the 10% Rule should be totally eliminated. LeClair also brought up the issue pertaining to the definition of “Illegal Fish” should NOT be Illegal if it is return to the water. Tagging studies have proven that Lake Trout survive after being caught and released. The DNR rationale is that if a non-targeted fish is caught, it is an illegal fish caught even if it is returned to the water. The Grid area in Lake Michigan where trawling is allowed runs from approximately Kewaunee down to Cleveland.

Brad Eggold mentioned that LeClair typically does not fish in August due to the large amount of non-targeted fish being caught. Thus there is very little tabulation of fish caught. The Lake Whitefish typically move out into Lake Michigan and the Lake Trout move closer to shore, within the Grid area mentioned above, thus this the reason for increasing catch of Lake Trout. Catching Lake Trout is considered Illegal even if they are all returned to the water.

ii. LMCFB Trawl Rule Recommendation:

Bottom line is that LeClair is satisfied with the current DNR Trawling Regulations as discussed, depending upon what the DNR actually proposes.

Pawlitzke made a motion seconded by Henriksen, that the LMCFB approves the following:

1. Eliminate the 10% bycatch rule due to the small number of Lake Trout caught verses the Lake Michigan Lake Whitefish actually caught
2. LeClair will agree to keep an extra camera on hand (estimated cost of \$7,000) in case of the other cameras are not working.
3. LeClair agreed to withdraw the request to trawl, at this time, in the Bay of Green Bay.
4. Trawling should be permitted without restrictions in months of August and September. LeClair mentioned that if they are catching too many bycatch, the Commercial Fisher would move to another location, this process would not apply to the 10% bycatch rule.
5. LeClair requested to have the drag time be increased from 60 minutes to 70 minutes.
6. The Trawl dimensions should be up to the Commercial Fisher. The only part of the net that needs to be regulated is the mesh cod end of 4 ½”.

Discussion took place on the mesh size. LeClair mentioned that the speed of trawling faster or slower mitigates catching of non-targeted fish. Currently the DNR says the nets are illegal, however this rule clarifies their legality. There was no explanation as to what was Illegal. The intent is to submit this rule before the NRB by 10-31-2025, which is the 5 year sunset of this rule.

Pawlitzke made another motion to increase the drag time from 60 Minutes to 70 Minutes. All members present voted Aye, except for LeClair and Henriksen abstained. Motion passes.

F. 2025 Priority List:

1. The Memorandum of Understanding (MOU), is Valid for 5 years from 2024. The LMCFB requested that the DNR rule making an established Lake Trout Harvest. The LMCFB says just

make it happen.

2. Improve the EFHRS. About one-half of the 2024 Priority list on this subject was completed in that the DNR working with the LMCFB & LSCFB on these items. The one-half of determining priority work items based upon staff, time and money will be contingent upon eliminating the negative Fund Balance in this account. Pawlitzke questioned why the DNR Fisheries, Wildlife & Law Enforcement (LE) was in poor financial condition. DNR personal mentioned the department is in a deficit of about \$16 million. DNR personal explained that the Legislator has not approved License fee increase since 2005. Plus, certain groups of Citizens get preferential treatment through reduce costs for licenses, such as seniors fishing licenses, active service members, etc. If these were charged current license fees, the total amount of revenue raised would be about \$17 million. This is a debate between the DNR and Legislators. Refer to these newspaper articles on the subject:

Here are the links regarding the DNR's budget situation:

✓ <https://www.wpr.org/news/lawmakers-approve-audit-wisconsin-fish-wildlife-account>

✓ <https://www.jsonline.com/story/sports/outdoors/2024/09/16/coalition-continues-quest-for-remedies-for-shortfall-in-dnrs-fish-and-wildlife-account/75162671007/>

3. Lake Whitefish Trawl Rule should stay on the Priority list until completed.

4. Lake Whitefish Trap Net Night Rule adjustments have been complied with.

5. Eliminate the two (2) 10% rules referenced herein. Pawlitzke questioned the status of the UW-Whitewater study of Commercial Fishing, was essentially lacking of response from the commercial fishers, however the study progressed on the sports side.

6. Old Business

a. Larsen Reef mapping project update – Information from the USFWS: The Perch Quota in Zone 3 had an accumulated total quota of 100,000 pounds. The Perch season was closed several decades ago in 1995, however the quota remained at 100,000 pounds. Now the quota shows “Zero Quota”. Thus, if the zero quota is accurate, the commercial fishers who have or previously purchased Perch quota will have seen it evaporate.

7. Board Members Concerns: None.

8. Comments and Announcements: Nothing to report.

9. Adjournment: Motion - Moved by Mike LeClair, seconded by Todd Stuth. Motion passed unanimously by those present at 7:48 P.M.

There was no next meeting scheduled.