

SUBJECT: Commercial trap netting on Lake Michigan

FOR: OCTOBER BOARD MEETING

TO BE PRESENTED BY: Michael Staggs

SUMMARY:

In June of this year the fishing gear of a recreational fishing boat became entangled in a commercial trap net near Sheboygan, leading to the capsizing of the boat and the death of one of the fishermen. This incident re-ignited a long-standing controversy regarding where and when commercial trap nets should be allowed in Lake Michigan.

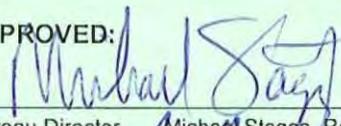
At the August 11 meeting of the Natural Resources Board, the NRB heard representatives of the Wisconsin Wildlife Federation, the Wisconsin Federation of Great Lakes Sport Fishing Clubs, and the Northeast Wisconsin Great Lakes Sport Fishermen argue for the abolition of trap nets during summer in the vicinities of Manitowoc, Two Rivers, and Sheboygan. At the meeting the Department also received two related petitions for rulemaking that had been submitted by those groups. The Department was asked to report back on the issue after reviewing the petitions and after consulting with sport and commercial fishing organizations and others.

RECOMMENDATION: No recommendation. This is an information item.

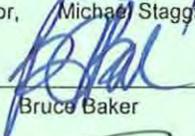
LIST OF ATTACHED MATERIALS:

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| No <input checked="" type="checkbox"/> | Fiscal Estimate Required | Yes <input type="checkbox"/> | Attached |
| No <input checked="" type="checkbox"/> | Environmental Assessment or Impact Statement Required | Yes <input type="checkbox"/> | Attached |
| No <input checked="" type="checkbox"/> | Background Memo | Yes <input type="checkbox"/> | Attached |

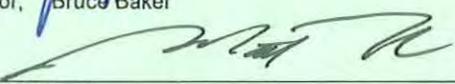
APPROVED:


Bureau Director, Michael Staggs, Randall Stark

10/14/2010
Date


Administrator, Bruce Baker

10/15/10
Date


Secretary, Matt Frank

10-15-10
Date

- cc: Laurie J. Ross - AD/8
- Peter Flaherty - LS/8
- Bill Horns - FH/4
- George Meyer - WWF
- Chuck Weier - WF/GLSFC

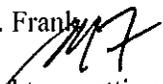
- Mike Rusch - NE/GLSF
- Charlie Henriksen - WCF
- Rick Johnson - LMCFB
- Ron Kazmierczak - NER
- Gloria McCutcheon - SER

- Paul Peeters - NER/Sturgeon Bay
- Brad Eggold - SER/Lake Michigan
- George Boronow - NER

CORRESPONDENCE/MEMORANDUM

DATE: October 15, 2010

TO: Natural Resources Board

FROM: Matthew J. Frank 

SUBJECT: Commercial trap netting in Lake Michigan

In June of this year the fishing gear of a recreational fishing boat became entangled in a commercial trap net near Sheboygan, leading to the capsizing of the boat and the death of one of the fishermen. This incident re-ignited a long-standing controversy regarding where and when commercial trap nets should be allowed in Lake Michigan.

At the August 11 meeting of the Natural Resources Board, the NRB heard representatives of the Wisconsin Wildlife Federation, the Wisconsin Federation of Great Lakes Sport Fishing Clubs, and the Northeast Wisconsin Great Lakes Sport Fishermen argue for the abolition of trap nets during summer in the vicinities of Manitowoc, Two Rivers, and Sheboygan. At the meeting the Department also received two related petitions for rulemaking that had been submitted by those groups. The Department was asked to report back on the issue after reviewing the petitions and after consulting with sport and commercial fishing organizations and others.

Petitions. One petition, with 306 signatures, requested that trap nets be banned during June 1 through August 31 in all waters of Lake Michigan in the entire southern part of Wisconsin's waters (i.e., our commercial fishing Zone 3). The second petition, with five signatures, requested that trap nets be banned in Zone 3 from May 31 to Labor Day or that they be banned during June through August within five miles of Two Rivers, Manitowoc, or Sheboygan.

Public consultation. We have also discussed the issue at meetings of the Lake Michigan Fisheries Forum, the Great Lakes Study Committee of the Conservation Congress, and the Wisconsin Federation of Great Lakes Sport Fishing Clubs. The LMFF did not develop a recommendation, but their notes include a list of possible actions to address the problem. The GLSC developed a specific recommendation calling upon the Department to work with the Coast Guard to conduct a risk analysis and to establish safe navigation regulations, and calling upon the Department to close summer trap netting until the completion of that risk analysis and regulation review. For your reference I have attached draft minutes of the LMFF and of the Great Lakes Study Committee, as well as a letter from Phil Moy, Chairman of the LMFF, summarizing the meeting. The Department has received additional correspondence from interested parties. We have received over 600 post cards requesting closure of summer trap netting, 45 e-mails expressing support for the current rules, and several letters on each side of the issue.

Proposed action. The Department will consider the petitions and prepare specific rule proposals for consideration by the NRB at the December 8 meeting.

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5 October 2010

Subject: Zone 3 Trap Nets

Mike:

On September 29th Glenn and Gary Seger, Mike LeClair, Steve Kulpa and Charlie Henriksen met with me to discuss possible options to assuage angler concerns about trap nets used in Zone 3 during the summer months. They asked that I pass these options along to you.

We reviewed the list of suggestions brought forth at the Fisheries Forum meeting. After some lively discussion the fishermen derived the following observations and suggestions:

There was general agreement that it will be impossible to stop anglers from fishing near the nets. Forage fish are drawn to the nets and the salmon and trout follow the food. Though anglers cannot be prevented from fishing near the nets or using downriggers near the nets, there are a few options that might help ensure their safety

According to Ryan Volenberg, the Seger nets are marked very well and are easy to spot. The Segers apparently use somewhat different marker buoys and more of them than are currently used on the Two Rivers nets. Additional or alternative style buoys may be an option in Two Rivers. These are expensive and depending on the style these are often stolen as they make good fenders for smaller boats.

The Two Rivers operations use amber strobe lights on the shore end of the lead during summer months. The current lights are aging and may be getting dim. These could be replaced or receive new batteries. Glenn and Gary Seger are reluctant to using lights if prescribed by regulation because they might be liable for injury or damage if the lights fail.

The fishers felt that US Coast Guard buoys marking the summer trap net areas would be helpful due to their size and the power of the lighted beacon.



Everyone agreed that educating anglers was an important component in trap net safety. Providing information about trap nets in the fishing regulations booklet and with an additional brochure upon purchase of a three-day license or salmon stamp may also help.

Other suggestions included additional gear for sport fishermen to carry on their boats. Nippers or bolt cutters to sever downrigger cables and "breakaway" sections near the base of the downrigger cable to allow the tether to snap off prior to the boat sinking or possible loss of the downrigger reel. This might be particularly useful on small boats, perhaps less than 20 feet in length.

There is significant reluctance to move the net area as anglers have had five years to learn the general area where the nets are set during the summer months. Restricting the nets to the summer area earlier in the year could result in significant loss of catch.

Thank you,



Phil Moy
Fisheries Specialist

cc: Bill Horns

**Lake Michigan Fisheries Forum
Sept 20 2010**

Meeting Notes

Forum Members Present: Phil Moy, Ted Eggebraaten, Mark Maricque, Dennis Hickey, Duane Nadolski, Scott Haberman, Henry Koltz, Kevin Naze, Dale Maas, Dan Peterson, Mark Hasenberg, Dennis Radloff, John Janssen

Forum Members Absent: Glenn Seger, Steve Bousley, Mark Holey

Alternates: Charlie Henriksen (Mark Maricque)

Others Present: Joe Jerich, Mike Clutter, Ryan Volenberg, Bill Horns, Paul Peeters, Scott Hansen, Steve Hogler, Mike Rusch, Mike Heinzen, Thom Gulash, Chuck Weier, tom Kocourek, Myron Haberman, Marcello Covelli, Paul Lohman, John Hanson, Charlie Mathews, Allan Geimer, Chris Groth, Pat Dewane Jr., Ben Geimer, Steve Kulpa, Jerry Thiede, Mike LeClair, George Meyer, Gerald Weisner, Jerry Nemecek, Ted Zigmunt, John Thiede, Paul LeClair, Wayne Utterstedt

Incident Report – Mike Clutter

The incident between the sport troller and the trap net occurred on June 25 at 9:18 AM. Mr. Koenig saw the flag marking the net and tried to avoid the net by going to the left of the flag. The flag was the most lakeward buoy; by going left of the flag the boat went towards the net. The starboard downrigger got tangled in the buoy rope. The boat was stopped and put into reverse; the boat started to take on water in three foot seas. As two of the passengers tried to free the tangled gear, more water came over the stern. Soon thereafter the boat capsized. Two of the occupants had their life vests on and were able to hang onto the boat. Mr. Koenig was trapped under the boat for a period of time but finally surfaced some distance away. The other two occupants were unable to reach Mr. Koenig.

What did the autopsy show? The autopsy showed Mr. Koenig died of a stress-induced heart attack.

How far out was the net? The net was three miles out from the harbor.

How many nets were out? There was a total of nine nets, five had gear tangled in them and three were closed off and not fishing. The one Mr. Koenig got tangled in was closed off.

Where was the pot? The pot was in 100 feet of water.

How did the boat break free? One of the cables broke and the other spooled out.

DNR Incident Response – Chris Groth

The DNR wanted to figure out how to better inform the public. In response, they developed a webpage on the DNR website. They send out weekly reminders via DNR email, they put a notice on the NOAA weather radio and developed a series of press releases and PSAs.

The web page received 388 hits in September.

The DNR has received some petitions. The Natural Resources Board will decide whether to move forward with a rule change.

When will this be considered? Don't know, it's not on the agenda for the next meeting.

Accident Statistics

Between 2000 and 2010 there were 82 reportable accidents on Wisconsin waters of Lake Michigan. Reportable accidents involve death, injury or damage over \$2000. Non-reportable accidents are not in the system. Two of these involved trolling, but it's hard to tell if nets were involved due to the data summary provided.

Were there any fatalities? We can find out.

The incident with the Linda E occurred in 1998; it was not included in the summary.

Timeline of Commercial Fishing Issues –Bill Horns provided a copy of Mike Staggs' testimony to the NRB.

What about all of Lake Michigan? Does Michigan operate similar to WI? Don't know yet.
How have other states dealt with this?

On Lake Huron an angler got tangled in a gill net and drowned

In 1978 in Peshtigo a boat overturned

An angler got tangled in a DNR pound net on Superior and drowned when he tried to swim to shore.

On Lake Erie two jet skis collided trying to avoid a marker.

Commercial Fishing Issues – Bill Horns

In 1989 trap netting was closed south of Algoma in the summertime.

In 1994 the tie-off date changed – when commercial fishers had to prepare to remove their nets for the summer season.

In 2001 the DNR changed the southern limit of the net area.

Most whitefish netting occurs in the north. The quota for whitefish was increased to 350,000 pounds in Zone 3. Zone 2 quota is 2.1 million pounds.

24 nets could be fished in the Zone 3 areas this next summer.

Discussion

Dennis Hickey: Wisconsin is a leader in the uniform marking system for nets on the Great Lakes for safety.

Are there tribal fishers? Yes but not in Wisconsin waters.

Naze: What about lights on the nets? There are amber lights on the Two Rivers nets.

How much variation is there in the wings? Usually the anchors vary; the lead length varies from about 900 to 1320 feet. Only 2 or 3 people make these nets on the Great Lakes so they tend to be similar.

What does tie off mean? Tying off the front part of the net to get ready to pull out or move the net. It stops the net from catching fish.

The lead goes towards the shore.

What about lighting, is more possible?

Scott Haberman – the lights are dim; they are not enough.

Dale Maas – Who fishes the two summer areas? Three Susie Q licenses, 3 Kulpa licenses and 3 Seger licenses; there are three nets per license.

How much effort is it to set the nets? At least 1-2 hours in perfect weather.

Duane Nadolski – The nets are a hazard and fog can be an issue. It's hard even to avoid boats in the fog. The tangled gear suggests there is a problem. The best fishing is in the early morning to just after first light – in the dark.

Dale Maas – When is the best catch? What is the CPUE? Summer catch is the most valuable – restaurants, tourists, fish boil and the fresh fish market.

What % of the quota is caught? It depends on marketing and algae. We could catch the quota but marketing is an issue.

Bill Horns – the catch differs between zones. It is highest in October in Zone 2 and falls off after August in Zone 3. This is partly due to fish migration and partly due to algae fouling the nets.

The nets are first set out in April. June and July catches are the best, August is less.

Do the Seger's fish outside the summer area a lot in the spring? Clutter – many of the nets were north of the summer zone.

Dennis Radloff – Don't want to see a knee-jerk reaction. People ignore the buoys, they just don't know what the flags are for. It's a shared responsibility of boaters and anglers.

Commercial Fisher Comments

Mike LeClair – Accidents happen. Fog, deer hunting accidents and the like. We need education. Moving the nets is not the answer. The nets provide structure for the fish and attract them. Mike has fished 25 years here; it's better now than in the past. The GPS coordinates are provided along with maps of the net locations. The DNR picked this area. North won't work, south won't work due to anchoring problems. Each season Susie Q processes 150,000 pounds of whitefish for restaurants and consumers.

We work with Sea Grant to provide the net GPS locations. We return gear to anglers; we return non-target fish to the water. We don't want the fishing gear in the nets, the downrigger balls sink the nets and cause them not to fish. We could restrict the net area to sport fishing. The charter boats go into the nets, this draws in other anglers. We proposed experimental trawling for whitefish which would avoid setting trap nets. It seems like there is a small number of people trying to get rid of the commercial fishermen. We need education for anglers.

Steve Kulpa – I have three licenses. The only feasible fishing is to use trap nets. The gill nets are not working for chubs due to lack of fish. Only whitefish is left. If I lose the summer whitefish catch I will have to quit.

We're fishing in the fall for the first time since 1984. Right now we're still catching fish but the total catch is less. We have challenges like smaller quotas, changing weather and algae.

Last year it took me three weeks to remove the nets due to algae and sand fouling the nets and collapsing them to the bottom.

Off Two Rivers education has worked. Sea Grant helps. Some people still get tangled but we give them back the equipment. Anglers have to understand they cannot retrieve the gear, the nets are too heavy.

Moving the nets will put us out of business; it's too rocky to anchor. Right now the anglers know where the nets are. Education is the key. Little boats are an issue; they are not adequately designed for big water. Backing into the sea is a problem. Sport fishing doesn't want the commercial fishery.

Al Geimer – Three suggestions: 1) maintain the net and remove fishing gear; 2) Require bolt cutters in sport boats. There are many sunken vessels near Two Rivers. 3) Change the accident report to include net tangling as an item. Monitor the reports for two years.

John Janssen – People lose downrigger balls on reefs. They need cutters for the cables.

Charlie H. – Son went to work on a charter boat. The first thing he was shown was the location of the bolt cutter. The net area should be delineated to keep anglers out and anglers need to be educated.

Pat Dewane – Being out in the fog is inherently dangerous. It is an assumption of risk. The anglers need to be educated. Restricting access to the net area is an option. It is unreasonable to close the area to trap nets.

There is no restriction in place on the duration of closed nets being in the water.

How frequently are the nets checked? At least every 5 days.

The pots have to be in the designated “box” but the leads can extend out of the box.

Dale Maas – If the area is to be closed to anglers, then the nets should be fully contained within the box.

Henry Koltz – Are the net coordinates available online? Yes, on the Sea Grant web site and there are links from other sites.

Tom Kocourek – There are lots of out of state anglers with small boats. They want to stay near the harbor. They purchase salmon and trout stamps or a three-day license. They could get a map with coordinates of the net zones. The safety of the small boat angler is the primary concern. Could lights be put on both ends of the nets to help anglers avoid the nets?

Dennis Radloff – We need to educate the anglers. He’s done a lot of research on the location of the commercial nets and what the markers meant. Maybe there could be a mailed information piece about buoys.

Duane Nadolski – What is the economic value of sport fishing? In all of WI it is \$2.5 billion. On Lake Michigan and Lake Superior it is about \$250 million.

Restricting sport fishing is draconian.

Sport Fisher Comments

George Meyer – The Wisconsin Wildlife Federation is not anti-commercial fishing. Mr. Koenig’s death was not the fault of the commercial fishermen; it was the anglers fault. The government has a responsibility to address dangerous conditions. There are a high number of anglers in this area with small boats, inexperienced anglers. We will be back here again if we do not take action to prevent another tragedy. Regulations are used where there is no other option. Education cannot always work – it’s not the solution this time.

Suggest relocating the commercial nets. It will cause problems for the commercial fishermen, but the cost of a lost life is too high. The DOT changes roads based on deaths/100,000.

Paul Lohman – Other dangers to navigation are clearly marked. The situation is clear. Mark the nets properly for day and night visibility and for radar.

Chuck Weier – Sport anglers have a right to fish the lake. The Seger's voluntarily moved their nets to the south; don't blame the Seger's. The nets are out there due to a DNR rule. Sport fishing now occurs in June, July and August. At least 50% of the Two River-Manitowoc anglers are from out of town; half are from out of state. This is a DNR problem; the risk exists and will continue. The sport anglers warned the DNR of the risk of an accident and it happened. Move the nets 5 miles north or south of the harbor or eliminate the June, July and August fishery. There's been one death in only 5 years.

Mike Rusch – We are most interested in protecting the resource and the safety of anglers. About every 5 years the trap net rules change. Now we have salmon fishing in June. The trap net season should be closed from June through August. In 2004 we pointed out that there had been other deaths on the lake due to nets. We warned the DNR of the death potential. The DNR needs to take action.

The commercial fishers start fishing whitefish after the smelt trawl. There are three fishers in Zone 3 and the quota has been increased by 63%. The netting has extended into a summer fishery. The DNR owes the anglers a safe fishing environment. The boxes help but it's not enough.

Discussion

How many of the nets are close off in the summer? Is there another place capable of anchoring the nets?

Dale Maas – This is a difficult problem to solve. In the near term suggestions:

- Provide GPS coordinates for the nets on the Sea Grant and DNR websites
- Mandate cutters on the boat
- Contain the nets completely in the box
- Use larger, taller buoys
- Provide info on what to do if tangled

The out of state guys don't want to use GPS coordinates

Salmon fishing is shifting to a night fishery

Mike R. – There could be bell buoys for rough water and lights at night.

There could be transmitters for radio within the box – to indicate the location of the box.

Charlie H. – IN the past we adapted the stick buoys to fit the new marking system. Maybe we could alter the marking system.

Mike Rusch – The DOT has done flagging studies

Mike LeClair – WE currently have 2, 10 inch floats on the buoy. We could go to steel buoys.

Use reflective tape on the flags.

Dan Peterson – Prefers not to restrict sport fishing. Require nippers on the boats.

Steve Kulpa – The 5 mi zone is suggested for safety, but if there's no GPS you cannot judge 5 miles. You can't stop the anglers from going near the nets. Education is the key. We need help from the clubs.

Kevin Naze – How about LED signs at boat launches?

Dale Maas – How about USCG official marking with buoy for the box?

Charlie H. – There's a process to request markings form the USCG. Putting the nets in the box earlier might be affected by algae. The nets are almost anchor to anchor

Summary of Suggestions

Use lights on the nets, Use brighter lights on the nets, Use lights at night

Angler education – suggested several times

Maintain the nets and remove fishing gear

Require bolt cutters on sport boats

Change accident reports to include net entanglement

Restrict access to the net area

If close box to anglers, nets should be contained completely in the box

Provide a map of the box with the three-day license and/or trout stamp

Relocate the nets

Mark the nets better

Provide GPS coordinates on DNR and Sea Grant website

Mandate cutters on the boat

Contain the nets completely in the box

Use bigger, taller buoys

Bell buoys for rough water

Use reflective tape on the flags

LED signs at boat landings

USCG official buoys for the box

Commercial Trap Netting and Recreational Angling



Background:

Both commercial and recreational fishing in Lake Michigan are authorized under state statutes and the Legislature has directed the Wisconsin Department of Natural Resources to manage for "an economically viable and stable commercial fishery and an active recreational fishery." The Department has historically encouraged the use of commercial trap nets for the harvest of whitefish and chubs because undersized fish and incidentally caught gamefish can be released alive in contrast to gillnets or trawls, which can kill significant numbers of non-target fish.

Regulations governing commercial netting are complex, but generally up to 12 nets are allowed for each license and must be marked with a standard array of buoys and flags. To minimize conflicts with recreational trollers, net use is restricted south of Sturgeon Bay from June 29 until Labor Day to two small fishing zones near Sheboygan and Manitowoc/Two Rivers and to three nets per license. DNR, UW Sea Grant, and local commercial and recreational fishing groups have conducted extensive outreach efforts to make boating users aware of trap net locations and markings.

What Happened:

On June 25, 2010 a small boat trolling near Sheboygan entangled their downriggers in a trap net buoy line. The boat eventually capsized and one person died of a heart attack while waiting for rescuers.

Law Enforcement Investigation:

The incident was immediately investigated by DNR and local law enforcement authorities who found that:

- The party of three fishermen was trolling in a 19' boat with downriggers travelling in a northerly direction going with the wind and waves. They were about 3 miles off shore in about 100 feet of water. The water condition was choppy with waves reported at a height of 3 feet.
- The two survivors reported the two starboard downrigger cables became entangled in a trap net. Our investigation showed at least one cable was tangled in the rope leading from the black flagged (outer) trap net buoy down to the anchor; this stopped the boat allowing water to come over the stern, causing it to capsize.
- The fishermen were able to dial 911 from a cell phone to summon help and secured life jackets while waiting a short time for their rescue by the US Coast Guard. Two persons were rescued unharmed. One person was found unresponsive and could not be revived, and was later determined to have died of a heart attack.
- The trap net they became entangled in was legally set and marked with proper buoys. There were a total of nine trap nets set off Sheboygan and all were legal nets with proper marking.
- During follow up inspections of the nets in the area, some fishing gear lost from other boats was discovered on 5 of 9 nets.
- The law enforcement investigation report concluded that there were several contributing factors that lead to the capsizing of the boat. The investigation revealed that the boat used was relatively small for the water conditions that day, the net markers were clearly seen, however the boat was navigated in close proximity to one of the buoys. Upon becoming entangled and in an effort to free themselves, the boat was backed directly into the oncoming wave direction. This allowed additional water to enter the boat through the stern. A full copy of the investigation report may be obtained by contacting Recreational Safety Warden John Plenke.

Responses to Date:

First and foremost, the Department extends its deepest sympathies to the victim's family and friends. Beyond the immediate investigation, the DNR has also:

- Confirmed that commercial nets were moved to the restricted use areas on June 29 as required by current law. The nets will remain in these smaller areas until Labor Day.
- Confirmed that materials advising boaters of trap net locations and markings are posted at all major boat landings, available at marinas and tackle stores in the Zone 3 area, and distributed by WDNR creel clerks (examples are attached).
- Included a reminder concerning trap net locations and markings in the July 15 WDNR Outdoor Report (<http://dnr.wi.gov/org/caer/ce/news/or/2010/or100715.htm>) and in the Lake Michigan Outdoor Fishing Report. <http://dnr.wi.gov/fish/lakemich/OutdoorReport.html>
- Consolidated available trap net outreach materials on the WDNR web site (<http://dnr.wi.gov/fish/lakemich/>). These include specific GPS coordinates for many trap net locations.
- Consulted with leadership in the sport and commercial fishing communities.
- Reviewed recent creel and charter survey use information to see if recreational fishing use patterns have changed outside of the restricted use period.

Next Steps:

Use of nets is currently restricted to two small areas near Sheboygan and Manitowoc/Two Rivers through Labor Day. Historically trap netting effort is significantly reduced after Labor Day (last year, for example, the whitefish harvest dropped from 44,000 in August to 931 in September and 427 in October), but legally trap nets could be fished throughout the area, so we are and will be taking additional steps to remind boaters about trap nets:

- Distribute copies of UW-Sea Grant brochure showing trap net locations at the DNR exhibit at the Wisconsin State Fair.
- Produce radio Public Service Announcements (PSA) for distribution prior to Labor Day and move those spots into existing radio advertising contracts.
- Produce video "how to" PSAs to help boaters identify and avoid trap nets and stream on the DNR web site and feed into existing online advertising contracts.
- Distribute e-mail reminders to Great Lakes users who subscribe to receive DNR's Lake Michigan fishing report and the DNR Outdoor Report, and who follow Fishwisconsin on Twitter.
- Post information and links to website forums about trap nets; UW—Sea Grant has already done this successfully on lake-link.com.
- Continue joint efforts with UW-Sea Grant to provide information to anglers about where trap nets are, how they work, and how to avoid them.
- Schedule a public meeting with the Lake Michigan Fisheries Forum in September to gather feedback from sport and commercial fishers on additional outreach or regulatory actions that might be taken, and report back to the NRB at an upcoming meeting. Present background and status of discussions to Natural Resources Board at October meeting in preparation for consideration of rules in response to petition at December meeting.

Great Lakes Study Committee Meeting

September 25, 2010 at the Ramada Inn,
Stevens Point, WI

10:03am- Meeting called to order:

Attendance: Committee members in attendance: Dale Mass, David Tupa, Ronald Vanderloop, Pete Petrouske, Donald Anderson, Tom Kleiman, Norman Blohm, Michel Witkiewicz, John Blumreich, and Richard Alvin. DNR fisheries: Bill Horns, DNR law enforcement: Ben Tremml, WCC Executive committee secretary: Rich Kirchmeyer, and resolution authors: Steven Alt and David Tupa.

Absent, date of notification, and reasons for absence: Richard Grabarski (in July – for hunting trip), Alvin Bochler (on Sept. 21 – for dislocated hip), Bruce Prentice (on Sept. 23 – for family health issue), Dan Lazzeroni (on September 23 – for working on Saturday), Richard Becker (on Sept. 24 – for doctor appointment), and Eugene Altwies (on Aug. 15 – for working on his MBA). It has been noted that both Dan Lazzeroni and Eugene Altwies missed the meeting last year and the chair asked that they be

Attendance Concerns: We need commitment to attend the annual meetings of our committee. We need to a simple majority. Dan and Eugene are absent again this year and were absent last year. The committee asked that unexcused and repeat absentees be removed after failure to attend our required meeting. Study committee meeting dates are established early enough to make arrangements to attend. Dale asked that the secretary write a letter to executive committee to dismiss Dan and Eugene with no replacements until after the annual convention in the spring of 2011. Motion to accept, second, all approved.

Mission statement read and reviewed. Motion to accept, second, all approved.

Fisheries Report by Bill Horns: issues with trap nets, perch, bloater chub population has declined, Lake Huron alwife population crashed and Chinook salmon followed, lake trout may not be recovering due to alwife that may be eating young lake trout plus the thymine deficiency. Reduced Chinook stocks are now healthier. Lake trout plan: Tribes want more, state DNR does not want to increase, USFWS wants to continue stocking. Agreement must be made to stocking numbers of lake trout with greater numbers on the mid lake reef area and less near shore. Consideration of a 15 perch bag limit: DNR is not comfortable with and is not intending to increase perch bag limits because data shows there is not a significant recovery of the population. The DNR feels that maintaining the limit at 5 would be the best management of the resource at this time. Discussion with Bill, Mike and Dale about the 15 perch bag limit in IL, asking why they are allowing a bag limit 3x higher than WI. Dave commented that there is a larger cormorant population in Wisconsin Waters and Paul Peeters presented data to this committee showing that the exponential growth of cormorants are having a significant impact on the perch population, especially in Green Bay. Dale requested to have data available to the public that explains the perch management plan and justifications for our bag limits. Bill said he would provide this data for distribution.

Lake Superior report: Good lake trout recovery in Lake Superior due to effort limit system, limiting the net size/length of commercial fishing nets. Increase in Gull Island Shoal lake trout spawning due to restoration efforts and a lake-wide increase of siscowet. Bill noted that there are far more siscowet than lake trout. Lake herring has been up but is now low. Brule River fish-way camera shows steady brown trout, slight coho decline (likely due to smelt decline with lake trout recovery), a decline in chinook, and an increase in steelhead over the past 20 years of data on the Brule. Coaster brook trout program is ongoing with restoration of stream spawning areas. Healthy smallmouth bass / northern pike population with good walleye stocking program.

DNR Warden Ben Tremml – Many marine unit issues. 2012 on-line, electronic reporting of commercial catch. Water Guard program to keep exotics out.

Resolutions: Bill Horns provided a hand out of DNR Fisheries comments on the resolutions. Move to change the order of resolutions to accommodate Steven Alt, second, all agreed.

410110 - Motion and second to forward this resolution. All approved. There was a question (#81) from this committee placed on the 2010 spring questionnaire to separate sportsmen license funds (fish and wildlife account) from GPR funds to pay the cost of the management of commercial fishing. That question passed statewide with significant support and was forwarded. The sportsmen of Wisconsin have sent a message that they do not want to pay for the management costs of maintaining a commercial fishing industry. A sport and commercial task force endorsed that GPR funds and not sportsmen license funds be used to support commercial fishing.

Background: Although commercial fishing operations provide some funding to support the DNR management costs of the commercial fishing industry, it is not self supporting and has been largely subsidized by sporting license sales. On the 2010 spring questionnaire, the sportsmen and women of Wisconsin overwhelmingly supported that funds to maintain commercial fishing should be taken from GPR funds and that the management and enforcement costs should not be taken from the fish and wildlife account.

Question: Would you support that the state legislature either appropriates funds from a source other than the fish and wildlife account or close commercial fishing in Wisconsin until such a time that the commercial fishing industry is self funded? (Ref. #410110)

Motion and second to forward the above question as written, supported by all.

410210: Motion and second to forward this resolution. After discussion that the DNR has no biological data to support this resolution, the committee unanimously rejected the motion to support this resolution. Steven Alt agreed to accept a copy of the minutes as sufficient to explain the outcome of his resolutions.

050110: Motion and second to forward this resolution. Discussion: Current regulations provide sufficient protection for the species. Not enough biological data to support increased protection of northern pike. Public perception is that northern pike are desired at all size levels and is not considered a “trophy only” type fish. Fisheries management did not support a slot size and an increase in size was not supported by 4 of the 5 counties surrounding Green Bay. After discussion, the committee rejected the motion to support this resolution for the above reasons.

150110: Motion and second to forward this resolution. Discussion: The practice of taking northern pike through the ice with a spear in a dark-house ice shanty is legal in Minnesota and Michigan waters and was allowed in Wisconsin until a “house-cleaning” of fishing regulations removed this practice due to low interest. After discussion the motion was approved by all.

Background: Currently, the practice of taking northern pike through the ice by spearing in a dark-house ice shanty is legal in Michigan, Minnesota, and Wisconsin waters of Lake Superior and Michigan waters of Lake Michigan and Green Bay. This fishing method was allowed in the Wisconsin waters of Green Bay and Lake Michigan until a “house-cleaning” of fishing regulations removed it due to low interest. This selective type of fish harvest traditionally takes place only in very clear, shallow waters of protected bays within Lake Superior and Lake Michigan. Historically, this fishing opportunity has occurred among very few participants. However, low participation should not have justified the removal of this regulation. This opportunity should be available for the few individuals that wish to participate in this selective method of harvesting northern pike through the ice. To be consistent with spearing regulations on other Wisconsin waters, the daily bag limit should be 3 fish during the months of January and February.

Question: Would you support the reinstating of dark-house spearing regulations for the Wisconsin waters of Green Bay and Lake Michigan, with a daily bag limit of 3 fish during the months of January and February?
(Ref. #150110)

Motion and second to forward this question as written: The committee unanimously agreed.

150310: Motion and second to forward this resolution. Discussion: The commercial quota is set at 2.9 million pounds with a size limit of 17”. The sport fishing harvest of whitefish is insignificant compared to the commercial harvest of 2.9 million pounds. There is no biological data to support a size restriction on whitefish for sport fishermen. After discussion, the committee rejected the motion to support this resolution for the above reasons by a vote of 3 in favor to 4 against, with 2 abstaining.

Trap Nets: Bill Horns explained that no more than 3 trap nets per license are allowed during June and July, but the density of these nets is 16 off the harbors of Manitowoc and Two Rivers. Net markings are universal. Whitefish migrate from the southern end of the lake in summer to the north where they spawn during October, so when commercial fishermen asked the DNR to open areas in Zone 3 to summer trap netting, the DNR allowed this area to be open to trap nets, against the wishes and warnings of sport-fishing groups and the Great Lakes Committee. There needs to be publications and education presented to sport fishermen to make them aware of net placements in the lake. The DNR has public petitions to close trap net fishing in zone 3 during the summer months or confine the nets to at least 5 miles north or south of these harbors. The DNR listened to the request by commercial fishermen to allow nets in an area that is fished heavily by sportsmen. The DNR was warned by this committee and other concerned sportsmen that allowing trap nets in areas open to sport trolling could lead to loss of life. Now that a man has died due to the conflict between commercial and sports fishing, suggestions are to close this area during summer or move the trap net area.

Committee Recommendations:

It is the recommendation of this committee that the DNR ask the Coast Guard to conduct a risk analysis with input from the DNR, commercial fishermen, and sport fishermen to establish safe navigation regulations including boater safety certification, signs, and publications to educate sport-fishers about the location, identification, and risk of navigating and fishing in areas open to commercial fishing. Until such a time that this risk analysis is completed, it is further recommended that both of the summer fishing areas in zone 3 be closed to commercial trap nets. Motion and second to make the above recommendations to the DNR. Unanimously approved.

Bill Horns reported there are no plans to change current commercial fishing regulations. However, there was a 16% increase in the whitefish quota to 2.9 million pounds of whitefish lake-wide, effective as of this spring.

Asian Carp: Concern continues that Asian Carp may get into Lake Michigan. We wrote a letter to Chicago officials last year.

NR 860: Motion and second to endorse the NR board position on NR 860 Water Use Permitting for water withdraws within the Great Lakes Basin. Unanimously in favor.

Member matters:

Alliance for the Great Lakes, materials distributed on Adopt-A-Beach program.

Mass marking of salmon trailer- hopper feed, 8 optical reader stations, sized, sorted, micro wire coded tag, adipose clip, scan for wire and fin clip, rejects go back, 3500/hour with only 22 fatalities during Dale Maas

Strawberry Creek egg harvests scheduled for Oct. 4 and 11.

Next meeting location: Ashland Co?, Bayfield Co?, Douglas Co?, Hatchery tours, fish ladder tours, stream restoration tours...

Motion and second to adjourn at 3:50pm

Respectfully written and submitted by
David Tupa, WCC Great Lakes Study Committee Secretary