

NOTICE

TO RED CLIFF COMMUNITY MEMBERS:

YOU ARE HEREBY NOTIFIED THAT THE FOLLOWING CHANGES IN THE RED CLIFF CODE OF LAWS IS BEING PROPOSED TO THE RED CLIFF TRIBAL COUNCIL BY THE RED CLIFF FISHERIES DEPARTMENT:

PERTAINING TO CHAPTER 7 -- COMMERCIAL FISHING REGULATIONS **SECTION 7.1 DEFINITIONS** and **ADD SECTION 7.21 CISCO QUOTA**

ADDITIONS ARE INDICATED AS **BOLD** AND *ITALICIZED* DELETIONS ARE INDICATED BY ~~STRIKETHROUGH~~

Alphabetize and renumber to reflect additions.

- ~~7.1.4~~ **7.1.1** ***"Actively fish"*** shall mean a big boat licensee that lifts nets and reports harvest a minimum of five fishing days per fishing season on a Red Cliff licensed boat. **(1/23/2018)(8/3/2020)**
- 7.1.2** ***A "Big Boat" shall mean a Coast Guard documented vessel with a weight of five or more tons equipped with a powered net lifter.***
- 7.1.3** ***"Bycatch" shall mean any fish that is unintentionally captured.***
- 7.1.4** ***"Cisco" shall mean the fish species Coregonus artedi, also known as Lake Herring.***
- 7.1.5** ***"Cisco targeted gear" shall mean gillnets less than 4 ¼ inch stretch measure or other fishing gear as determined by the Red Cliff Fisheries Department.***
- ~~7.1.1~~ **7.1.6** A "fishing day" shall mean any day on which a licensee fishes large mesh gill nets.
- ~~7.1.2~~ **7.1.7** A "fishing week" shall mean any week in which a licensee lifts large mesh gill nets.
- ~~7.1.3~~ **7.1.8** A "fishing season" shall mean the period of time during which it is lawful to harvest a given species of fish. **(11/20/18)**
- 7.1.9** ***"Non-Cisco targeted gear" shall mean gillnets greater than or equal to 4 ¼ inch stretch measure, trap nets, or other fishing gear as determined by the Red Cliff Fisheries Department.***

~~7.1.5~~ 7.1.10 A “State Commercial License Holder” shall mean an individual who holds a commercial fishing license issued by a state government or state government agency. (12/29/2019)

7.1.11 *“Targeted catch” shall mean any fish that is intentionally captured.*

7.1.12 *“Target fishing” shall mean fishing activity conducted with the intent to capture particular fish or fishes.*

Add SECTION 7.21: CISCO QUOTA which shall read as follows:

7.21 **SECTION 21: CISCO QUOTA**

7.21.1 *A tribal quota shall govern the harvest of Cisco in the Wisconsin Waters of Lake Superior. Prior to the start of the calendar year, the tribal quota shall be determined by the Red Cliff Fisheries Department as set out in the three-party Lake Superior Fishing Agreement.*

7.21.2 *The tribal quota for Cisco shall be distributed to licensees on an annual and seasonal basis via nontransferable individual quotas (hereafter individual quotas). Individual quotas shall be distributed during two seasons. Season 1 shall be from January 1st to October 15th, and season 2 shall be from October 21st to December 31st. All season 1 individual quotas shall expire at 11:59 PM October 15th, and all season 2 individual quotas shall expire at 11:59 PM December 31st. At the start of each season, individual quotas will be distributed by the Red Cliff Fisheries Department in the amount of no more than 15,000 round pounds per licensee per day during season 1 and in the amount of no more than 15,000 round pounds per Big Boat per day during season 2.*

7.21.3 *Individual quotas must be registered by a small or big boat commercial licensee to be considered valid. Individual quotas will be available on a first-come, first-served basis at a self-service location designated by the Red Cliff Fisheries Department. To register an individual quota, the applicant must legibly complete all fields (e.g., the date of application, printed applicant name, applicant license number, the vessel the quota will be fished from, and applicant signature) and deposit the completed application at the designated self-service location. Registration must be completed at the self-service location. Unregistered individual quotas shall not be removed from the self-service location.*

7.21.4 *Individual quotas can be returned to the Red Cliff Fisheries Department at any time. Licensees that registered for an individual quota but fail to fish any portion of the individual quota shall return the individual quota to the Red Cliff Fisheries Department.*

- 7.21.5 *During season 1, licensees shall not register more than one individual quota per license per day. At least 2/3rds of the individual quota registered to a license must be harvested before more individual quota can be registered for that license. No more than two individual quotas with unharvested allocation remaining shall be registered to any license at any time.*
- 7.21.6 *During season 2, licensees shall not register more than one individual quota per Big Boat per day. At least 2/3rds of the individual quota registered to a Big Boat must be harvested before more individual quota can be registered for that Big Boat. No more than two individual quotas with unharvested allocation remaining shall be registered to any Big Boat at any time.*
- 7.21.7 *Fishing with Cisco targeted gear shall be considered target fishing for Cisco. All Cisco captured while target fishing for Cisco shall be considered targeted catch. Fishing with non-Cisco targeted gear shall not be considered target fishing for Cisco. All Cisco captured while not target fishing for Cisco shall be considered bycatch. Licensees shall not target fish for Cisco without possession of an individual quota. Individual quota is not required when target fishing for fish other than Cisco. Cisco captured as bycatch may be harvested without possessing individual quota.*
- 7.21.8 *Exceeding an individual quota while target fishing for Cisco shall constitute a violation of this Code.*

PUBLIC COMMENT ON THIS PROPOSAL IS ENCOURAGED. PLEASE DROP YOUR COMMENTS AT THE TRIBAL ADMINISTRATION BUILDING, OR FORWARD THEM DIRECTLY TO THE TRIBAL COUNCIL. THIS PROPOSAL WILL BE VOTED UPON ON **TUESDAY OCTOBER 19TH, 2021** AT THE REGULAR MEETING OF THE RED CLIFF TRIBAL COUNCIL. IF THE COUNCIL ENACTS THIS CODE CHANGE, THE CODE CHANGE SHALL BECOME EFFECTIVE ON: **upon enactment.**

DATED: September 7, 2021