

## **CHAPTER 5—HOME USE FISHING REGULATIONS**

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## **CHAPTER 5 – HOME USE FISHING REGULATIONS**

### **5.1 SECTION 1: GENERAL**

- 5.1.1 Every member shall have the right to fish within the exterior boundaries of the Reservation, subject to such regulations and restrictions as are provided in the following subsections.
- 5.1.2 Every member who fishes for home use on the Reservation or on Lake Superior shall have in his possession a Home Use Fishing Permit issued by Red Cliff Law Enforcement Office.
- 5.1.3 Upon application, a Home Use Fishing Permit will be issued to one person per household. A household is defined as all persons residing in one living unit whether or not they are related by blood or marriage.
- 5.1.4 A member who lives in a household in which one of the persons possesses a Commercial Fishing License shall not be eligible for a Home Use Fishing Permit.

### **5.2 SECTION 2: GILL NETS**

- 5.2.1 Mesh size. Gill nets used for home use fishing shall have a mesh size of 2  $\frac{3}{4}$  inches and smaller or 4  $\frac{1}{2}$  inches and larger (stretch measure).
- 5.2.2 Net Length. A home use permit holder fishing in Lake Superior shall be limited to the use of not more than 2 gill nets, with a total length not to exceed 800 feet, except during October and November, when the total length of nets in use may not exceed 500 feet.

### **5.3 SECTION 3: NET SETTING**

- 5.3.1 Gill nets used for home use fishing on Lake Superior shall be marked with a buoy on the lake ward end. Said buoy shall be red and white and shall bear the number of the Home Use Fishing Permit.
- 5.3.2 Gill nets used for home use fishing on Reservation streams or rivers shall be marked with a buoy, stick, milk jug, or similar method to draw attention to the net.

### **5.4 SECTION 4: TAGGING**

- 5.4.1 All northern pike, walleye, brook trout, brown trout, rainbow trout, splake, Coho salmon, Chinook salmon, and Atlantic salmon taken by home use fishing must be tagged with yellow tags furnished by the Red Cliff Band when in possession of a home use permit holder outside the Reservation.

5.4.2 All lake trout retained by a home use license holder will be tagged with white home use tags. A licensee may receive up to 20 white lake trout home use tags upon receipt of their license. The licensee will not be issued further white lake trout home use tags until a catch report is received by the Fisheries Department indicating that the licensee has already used all of the tags given to him/her.

**5.5 SECTION 5: REPORTING**

5.5.1 Home used permit holders shall report their fishing activities and catches to the Conservation Commission each month on forms supplied by the Red Cliff Band. Reports are due within 15 days of the end of the month reported. Reporting is not necessary for months during which no fishing was done.

**5.6 SECTION 6: STREAMS AND RIVERS**

5.6.1 It shall be unlawful to use any kind of net in streams and rivers during spawning runs of trout and salmon. Fish for home use may be taken by hand, hook and line, or spear during these spawning runs.

5.6.2 It shall be unlawful to place nets or any other materials in such a manner as to block the mouth or any portion of a stream or river. A stream or river shall be considered blocked when a net or other material spans more than one-half of the width of the stream or river.

**5.7 SECTION 7: FISHING SEASONS**

5.7.1 Home use permit holders may fish throughout the year subject to the restrictions found in Sec. 5.6.1 and 5.7.2.

5.7.2 During October and November, home use permit holders fishing in Lake Superior may fish only within ¼ mile (1320 feet) of the Reservation shoreline, except that, during October and November, home use permit holders residing on Madeline Island may fish within ¼ mile (1320 feet) of the Madeline Island shoreline.

**5.8 SECTION 8: SALE OF FISH**

5.8.1 The sale of fish taken pursuant to a Home Use Fishing Permit is prohibited. A permit holder who violates this section may have his license suspended for a period not to exceed 6 months upon his first violation. Upon a second violation, said Home Use Fishing Permit may be suspended for no less than one year.

**5.9 SECTION 9: ENFORCEMENT**

5.9.1 Any member who violates any provision of this Chapter 5 shall forfeit not more than \$150.00 (\$25.00 deposit permitted).