



Ohio Administrative Code

Rule 1501:31-3-12 Quota management system for lake Erie fishes.

Effective: January 1, 2023

(A) Commercial fishing quotas will be determined and allocated annually for yellow perch (*Perca flavescens*) in the Ohio waters of lake Erie by the chief of the division of wildlife. Annual yellow perch quota allocations will be pounds of yellow perch and may be allocated separately by lake Erie yellow perch management units as defined in rule 1501:31-1-02 of the Administrative Code.

(B) The combined allocation of sport and commercial fishing quotas for yellow perch will not exceed the annual Ohio total allowable catch (TAC).

(C) In annually determining and allocating pounds of yellow perch quotas to commercial harvest, the chief will consider and be guided by:

(1) Recommendations made by the great lakes fishery commission, lake Erie committee and its technical subcommittees.

(2) TAC distribution between sport and commercial fishing in each lake Erie yellow perch management unit as prescribed by the following table:

Sport Fishing : Commercial Fishing (Percent of Ohio TAC)	Unit 1 Ohio TAC (Pounds of Fish)	Unit 2 Ohio TAC (Pounds of Fish)	Unit 3 Ohio TAC (Pounds of Fish)
Sport 65 : Commercial 35	Greater Than or Equal to 800,000	Greater Than or Equal to 1,600,000	Greater Than or Equal to 800,000
Sport 70 : Commercial 30	799,999 to 400,000	1,599,999 to 800,000	799,999 to 400,000
Sport 75 : Commercial 25	Less than 400,000	Less than 800,000	Less than 400,000

(3) Other pertinent scientific, economic, and social data.

(D) In annually apportioning pounds of yellow perch quotas within the commercial trap net fishery, the chief will consider and be guided by:



(1) Individual trap net license yellow perch harvest shares from 1990 through 2007.

(2) Other pertinent scientific, economic, and social data.

(E) Pounds of yellow perch quotas will be apportioned annually within the commercial trap net fishery, by commercial trap net license, and will be stipulated as terms and conditions of each license. Terms and conditions for any license may stipulate pounds of yellow perch allocated separately by lake Erie yellow perch management unit. These apportionments will be determined following the "Lake Erie Commercial Fishing Yellow Perch Quota Allocation Procedure" effective January 1, 2023, that is posted on the Ohio division of wildlife website at <http://www.wildohio.gov> and will be conveyed in writing by the chief to individual license holders not later than April twenty-fifth of each year.

(F) Pounds of yellow perch quotas may be transferred among commercial trap net licenses from the date of their announcement through December tenth of each year. It is the responsibility of the transferor licensee to specify, in writing, the amount of yellow perch quota being transferred, the lake Erie yellow perch management unit in which that quota was originally assigned, and the license to which the quota is being transferred. Written transfer requests must be submitted to the division of wildlife, Sandusky office, during the specified dates when quotas may be transferred. Transferred quotas become part of the annual quota of the transferee license only during the calendar year in which the transfer was completed. Harvests of transferred quotas will be permanently recorded as catches of the transferor licensee as specified in paragraph (F) of rule 1501:31-3-13 of the Administrative Code.

(G) It shall be unlawful for any trap net licensee to harvest more pounds of yellow perch from a lake Erie yellow perch management unit than that allocated for his specific license, or the sum of his specific license's allocations and quota transfers made in accordance with paragraph (F) of this rule.

(H) It shall be unlawful for a licensed commercial fisherman or his employee(s) to remove fish from nets licensed by another fisherman unless he is authorized in writing to remove fish from another's nets, by the licensee of such nets.



(I) It shall be unlawful for a licensed commercial fisherman or his employee(s) to have in possession on a boat, on the waters of Lake Erie, yellow perch that have been taken from more than one lake Erie yellow perch management unit.

(J) For the purpose of this rule, the following definitions apply:

(1) Commercial fishing quotas or quota is defined as the pounds of fish in total or by lake Erie management unit which the chief will allow to be legally harvested by commercial fishing gear.

(2) Licensee is defined as the individual who holds the license.