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(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2011-12

(session year)

Assembly

(Assembly, Senate or Joint)

Committee on Natural Resources...

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
(**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
(**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

* Contents organized for archiving by: Stefanie Rose (LRB) (August 2013)

Assembly

Record of Committee Proceedings

Committee on Natural Resources

Assembly Bill 377

Relating to: the definition of rough fish and taking rough fish with a crossbow.

By Representatives Craig, Weininger, Bies, Jacque, Knilans, Kleefisch, Kooyenga, Ballweg, Pridemore, Rivard, Spanbauer, Turner, Vruwink and Molepske Jr; cosponsored by Senators Kedzie, Holperin and Olsen.

November 16, 2011 Referred to Committee on Natural Resources.

January 4, 2012 **PUBLIC HEARING HELD**

Present: (11) Representatives Mursau, Rivard, Nerison, Steineke, Tiffany, Stroebel, Litjens, Molepske Jr, Mason, Danou and Hulsey.
Absent: (5) Representatives Williams, Kleefisch, Severson, Clark and Milroy.
Excused: (0) None.

Appearances For

- David Craig, Madison — Representative, 83rd Assembly District
- Steve Lang, Markesan — Challenge the Outdoors, Inc
- James Luedke, Dalton

Appearances Against

- None.

Appearances for Information Only

- Thomas Van Haren, Madison — Wisconsin Department of Natural Resources

Registrations For

- George Meyer, Madison — Wisconsin Wildlife Federation
- Bob Welch, Madison — Wisconsin Bio Industry Alliance - Wisconsin Corngrowers Association
- Bob Welch, Madison — Hunters Rights Coalition
- Neal Kedzie, Madison — Senator, 11th Senate District

Registrations Against

- None.

Registrations for Information Only

- None.

January 10, 2012

EXECUTIVE SESSION HELD

Present: (14) Representatives Mursau, Rivard, Kleefisch, Nerison, Steineke, Tiffany, Stroebel, Litjens, Molepske Jr, Mason, Danou, Clark, Milroy and Hulsey.

Absent: (2) Representatives Williams and Severson.

Excused: (0) None.

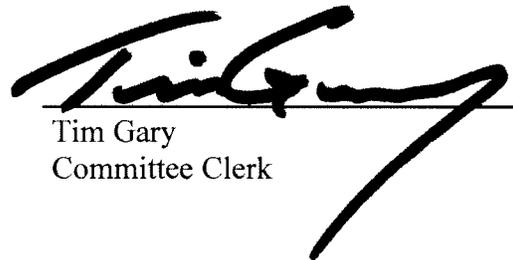
Moved by Representative Rivard, seconded by Representative Steineke that **Assembly Bill 377** be recommended for passage.

Ayes: (14) Representatives Mursau, Rivard, Kleefisch, Nerison, Steineke, Tiffany, Stroebel, Litjens, Molepske Jr, Mason, Danou, Clark, Milroy and Hulsey.

Noes: (0) None.

Absent: (2) Representatives Williams and Severson.

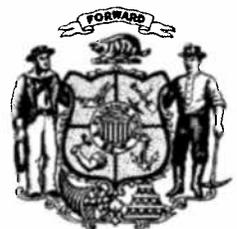
PASSAGE RECOMMENDED, Ayes 14, Noes 0



Tim Gary
Committee Clerk



WISCONSIN STATE LEGISLATURE





January 3, 2012

Dear Representative Mursau and the Committee on Natural Resources,

This is a brief letter of support on behalf of Assembly Bill 377. This opportunity for all sportsmen & women has been long coming. A choice of weapon for participating in this sport should not be a reason for being disallowed from participating, especially those with disabilities.

The crossbow is definitely a slower means of shooting fish, but still a way to get people out on the water. I have worked with organizations such as *Buckmasters Disabled Sportsmen* and *Physically Challenged Bowhunters Association* (PCBA) on getting their members on the water for the opportunity to bowfish. I have even had crossbow shooters at events on my boat, and all without any issues. The use of this weapon is just as safe and effective as any other type of bow. There is no reason that this weapon can not be added to list of legal weapons allowed for use in the sport of bowfishing, whether the person is able-bodied or disabled.

Also, adding the Asian carp to the list of legal species is a step in the right direction. Sometimes your bowfishermen & women are the first line of defense in finding these invading species. We wonder if the generic term "Asian Carp" is sufficient enough so as not cause problems, or if perhaps it should be broken down into the Silver carp, Bighead Carp, and Grass (White Amur) carp, etc. if it isn't already

Again, I wish to voice the support of the *Bowfishing Association of America* (BAA) and the *Wisconsin Bowfishing Association* (WBA) as being **IN SUPPORT** of this Bill.

Thank you for your time,

Chris Cass
Legislative Liaison, WBA
State Representative & Past President, BAA
Janesville, WI
608-774-7377





DAVID CRAIG

STATE REPRESENTATIVE

Assembly Committee on Natural Resources
Public Hearing, January 4, 2012
Assembly Bill 377 Testimony
Representative David Craig, 83rd Assembly District

Thank you, Chairman Mursau, for scheduling a hearing on Assembly Bill 377. I appreciate the opportunity to speak before you and the members of the committee today regarding AB 377. My bill defines Asian Carp as rough fish and allows the taking of rough fish with a crossbow. Sen. Kedzie, Rep. Weininger and I are introducing this bill because it is a win-win-win for disabled sportspersons, Wisconsin's environment and all sportsmen and women looking to expand their sporting activities in the state.

I would like to briefly outline the two major components of AB 377. First, the bill adds Asian Carp to the definition of rough fish. Currently, Asian Carp are defined as a detrimental species which must be taken by hook and line, only. Under current regulations, the bag limit for Asian Carp is one and the fish must be immediately killed and delivered to the DNR. Defining Asian Carp as a rough fish allows the taking of Asian Carp by hook and line, by hand, by dip net, and by spear, which includes bow and arrow and would include crossbow under this bill, without a bag limit.

However, under AB 377, Asian Carp would still be considered an invasive species, meaning that the fish cannot be transported live—they would have to be killed immediately. AB 377 upholds current regulations prohibiting the possession, transportation or transfer of live Asian Carp.¹

The second component of the bill allows a person to fish for rough fish with a crossbow under the same circumstances allowed for taking rough fish with a bow and arrow. If the DNR establishes an open season for taking rough fish with a bow and arrow on a particular body of water, under AB 377, the DNR must also allow the taking of rough fish with crossbow under the same conditions that apply to bow and arrow. Current law allows crossbow hunting only for disabled sportspersons and individuals at least 65 years old.

This bill is a win for disabled sportspersons because it expands their access to our state's natural resources. Although disabled sportspersons are a traditionally disadvantaged group when it comes to outdoor activities, AB 377 makes it easier for those who are interested in getting on the water and taking part in a classic Wisconsin sport to do so.

Furthermore, AB 377 is a win for the environment. While we do not pretend this bill is a silver bullet for the impending Asian Carp problem, certainly every effort will help. AB 377 will

¹ The bill amends the definition of "rough fish" by adding Asian carp to the list of included species. The result of this is to remove Asian carp from the strict regulations that apply to the taking of nonindigenous detrimental fish species and apply instead the much more lenient regulations that apply to the taking of rough fish. Note, however, that the regulations applicable to invasive species will still apply to Asian carp. (12/06/2011 LC Memo)

expand the harvest rules for all rough fish, particularly the Common Carp, which is such a problem in Wisconsin waterways. This bill gives Wisconsin sportsmen and women the ability to help us address and control the damaging Carp problem while partaking in one of our many, popular, recreational sports.

It is a win for all sportsmen and women because it expands their fishing experience by allowing the taking of rough fish with crossbow. During the Wisconsin Conservation Congress' 2011 DNR Spring Rule Hearings, "Use of a Crossbow for Rough Fish" was approved with a 78% majority vote and by 70 of the 71 counties participating.

In addition, the Department of Natural Resources supports this legislation. We are pleased at the prompt reception this bill has received by this committee and we look forward to a timely executive session as well. Thank you for your consideration and I look forward to any questions you may have.



Department of Natural Resources
TESTIMONY - AB 377
USE OF A CROSSBOW FOR SPEARING ROUGH FISH & ROUGH FISH DEFINITION
By: Tom Van Haren - Conservation Warden
January 4, 2011 (Assembly)

Thank you Chair Mursau and members of the committee.

My name is Tom Van Haren. I am a Conservation Warden with the Department of Natural Resources, Bureau of Law Enforcement.

I am appearing today on behalf of our department for informational purposes on AB 377.

I'd like to give you a little background on crossbows. Crossbows first became legal to use for hunting 30 years ago in 1979. This authority was initially only for Wisconsin residents who were hunting under an archery license and with a Crossbow Permit.

The authority to hunt with crossbows has steadily expanded to allow both residents and nonresidents who are age 65 or older to hunt any species with a crossbow, as well as both resident and nonresident qualified disabled hunters ages 10 – 64 who have the appropriate disabled hunting permit.

This bill, however, deals with allowing the use of crossbows for spearing rough fish and is not related to hunting with crossbows. Spearing of rough fish with hand held spears, and with bows & fishing arrows, has been allowed for at least 35 years, and likely much longer.

Use of crossbows for spearing rough fish has not been allowed in the past, not even for a person with a disabled crossbow "hunting" permit. In recent years, the department has become aware of increasing interest on the part of public to use crossbows for spearing rough fish. This bill will provide that opportunity for anyone desiring to use a crossbow, and it is not limited by age or only for persons with disabilities.

The DNR has had years of experience with crossbows being legal for various groups of hunters, as well as, the ability to spear rough fish with a bow & arrow, so the department sees no biological reasons or significant enforcement issues associated with allowing the use of crossbows in the same manner currently allowed for bow & arrows. This would be accomplished by this bill.

The second thing this bill does is to amend the definition of rough fish. Currently, common carp are defined under ch. 29, Stats., as a rough fish, but other species of carp are not included in this definition.

All other species of carp, such as Asian carp, are currently considered "Nonindigenous detrimental fish species" by DNR rules. As such, they may not be harvested and retained by anglers, except one such fish may be possessed if killed immediately and delivered to the DNR.

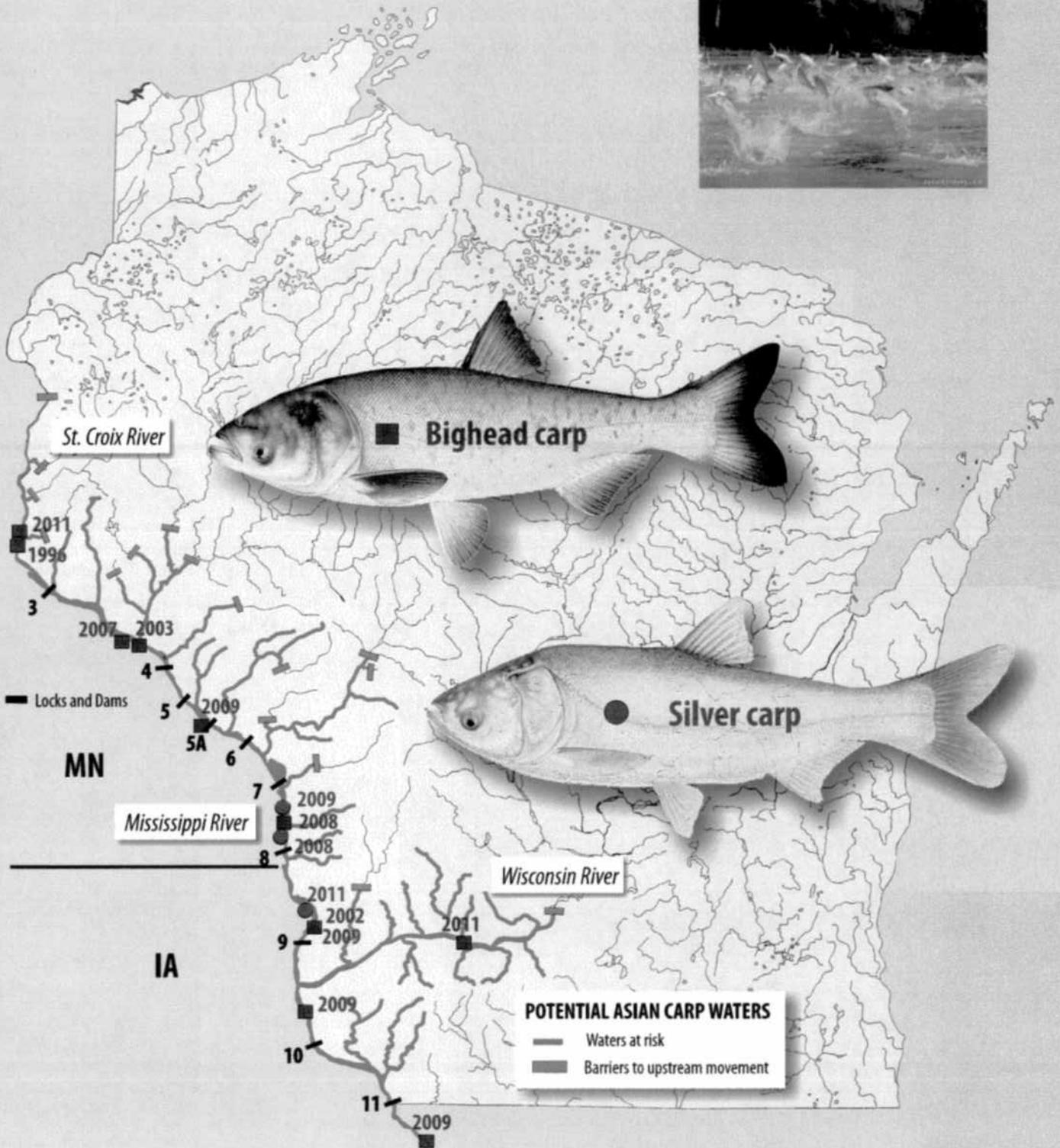
This rule was put in place out of concern that live invasive fish species might be moved to other waters. In more recent years, under VHS and related invasive species rules, it is no longer legal to transport live game or rough fish away from the waters where they were caught, and anglers and boaters must drain all the water from boats and containers before leaving any water body. With these rule in place, there is far less concern that such fish will unintentionally be moved away from and released into other state waters.

By amending the current definition of rough fish, anglers, including bow fisherman, will be able to target such species and be allowed to kill and keep as many as they want. Individuals will also be able to sell the dead carcass of such fish species just as they can sell carp and other rough fish under current law.

END

Asian carp in Wisconsin waters

1996-2011



August 2011

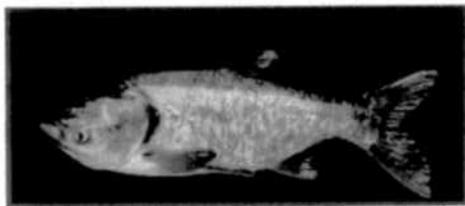




Region 3 - Great Lakes/Big Rivers

Asian Carp - Aquatic Invasive Species

Issues, Program Accomplishments, and Program Needs



-photo by D. Riecks

Bighead carp



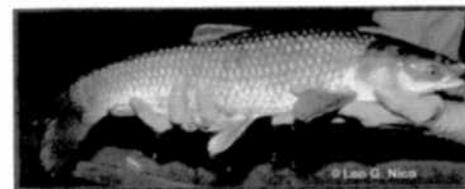
-photo by L. Lovshin

Silver carp



-photo by B. Tabor

Grass carp



Black carp

Pathways and Introductions into the United States

Bighead, silver, grass, and black carp are native to Asia. Grass carp were first introduced into the United States in 1963, whereas bighead, silver, and black carp arrived in the 1970s. All four species escaped into the Mississippi River Basin, and all but the black carp are known to have developed self-sustaining populations. Bighead and grass carp were captured in the Great Lakes Basin, but there is no evidence of reproduction to date.

Biology and Ecology

Bighead carp grow to a maximum of about 60 inches and 110 pounds. Silver carp also grow very fast compared to most native fishes in the United States. In aquaculture facilities, silver carp have grown to 12 pounds in one year, and may grow to a maximum of 39 inches and 60 pounds. Grass carp can eat up to 40% of their body weight per day, and grow to a maximum of 59 inches, 99 pounds, and live up to 21 years. Black carp can grow to a maximum of 48 inches, and 71 pounds, on a diet composed almost exclusively of snails, mussels, and other invertebrates.

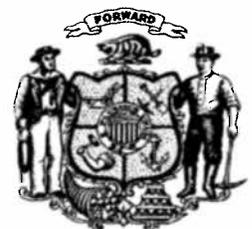
Distribution and Abundance

Grass carp inhabit waters within and bordering 45 states, whereas bighead carp have been collected from 18 states, silver carp from 12 states, and black carp from only Illinois (some escaped from an aquaculture facility in Missouri). See the maps on the last page for more details on the distribution of the four species of Asian carp.

Data from the Illinois Natural History Survey indicates that bighead carp abundance has been increasing exponentially in a portion of the Upper Mississippi River. The population has tended to double there every year. Bighead carp populations may be increasing at equally fast rates on portions of the Illinois and Missouri Rivers, while silver carp abundance may be increasing at similar rates in all of those rivers.



WISCONSIN STATE LEGISLATURE

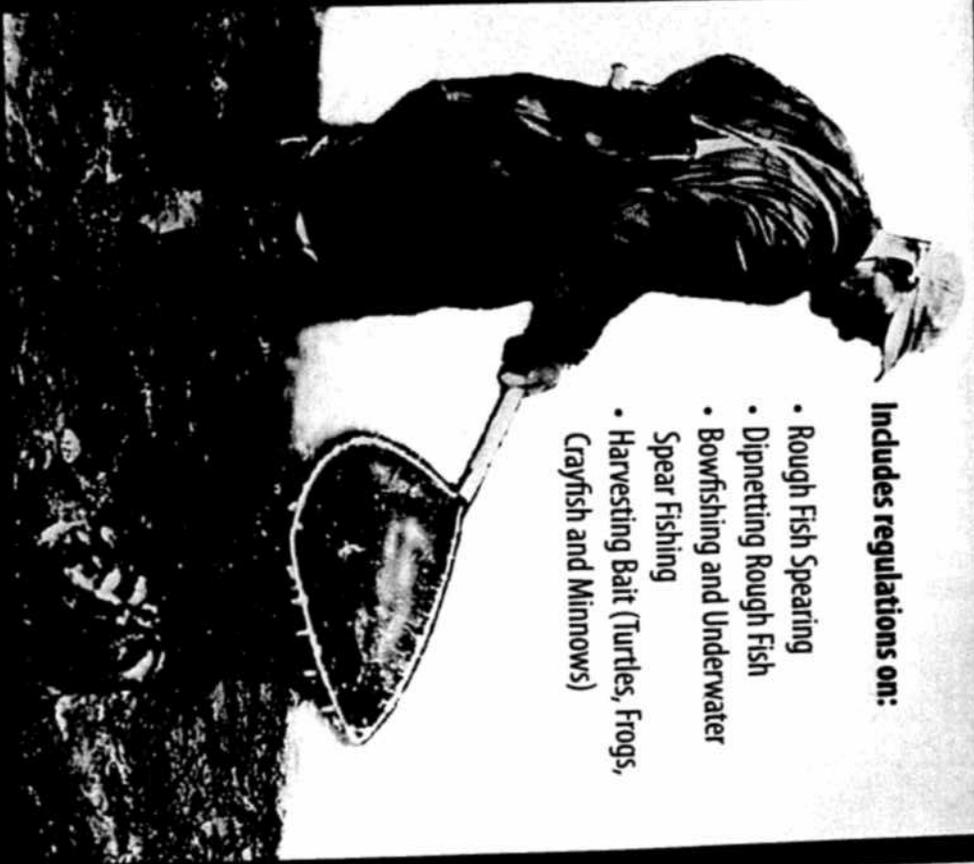


Guide to Wisconsin
Spearing, Netting, and Bait
Harvest Regulations
2011-2012

Effective April 1, 2011 through March 31, 2012

Includes regulations on:

- Rough Fish Spearing
- Dipnetting Rough Fish
- Bowfishing and Underwater
Spearing
- Harvesting Bait (Turtles, Frogs,
Crayfish and Minnows)



Wisconsin Department of Natural Resources
Bureau of Fisheries Management
P.O. Box 7921
Madison, WI 53707-7921

PUB-FH-304 2011

Guide to Wisconsin Spearing, Netting, and Bait Harvest Regulations 2011-2012

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 **Note: Sturgeon spearing regulations are found in the *Winnepesaukee System Sturgeon Spearing Regulations & Information* pamphlet.**

This document is an interpretive summary of Wisconsin's spearing and netting regulations. For complete laws, consult Wisconsin State Statutes Chapter 29 and the Administrative Code of the DNR.

Report Hunting and Fishing Violations
Call 1-800-TIP-WDNR (847-9367)
Toll Free • Statewide • 24-Hour • Confidential
(General Information NOT provided from this number)

LICENSE REQUIREMENTS

Hook and line, spearing, bow fishing, minnow trap or caught by hand for any fish or minnow requires a fishing license, unless the person is a resident and otherwise exempted from purchasing a license (i.e., under 16 years old or residents born before 1/1/27). (Note: Nonresidents under the age of 16 do not need a license to fish with hook and line, but do need a license to spear, net, trap, or take fish by hand. Nonresidents under the age of 18 who have a parent that is a Wisconsin resident may obtain a fishing license at the resident fee).

Netting. No fishing license is required for residents taking minnows, smelt or rough fish with a dip net or minnow seine. All nonresidents, regardless of age, are required to have a Wisconsin nonresident fishing license for harvesting smelt or taking rough fish or minnows with dip nets, seines, or minnow traps.

Turtles. A fishing, small game, sports, patron or resident setline, set/bank pole or commercial Mississippi River license is required for taking turtles, except for residents who are exempt from purchasing a license. Nonresidents of any age need to have a license.

Crayfish and Frogs. A fishing or small game license is required for taking crayfish. Sales of crayfish or frogs for fish bait requires a bait dealers license. Nonresidents may not sell bait in Wisconsin. Frogs may be taken and possessed without a license.

Leeches and aquatic insects. No license is required except a DNR permit may be required for dredging depending on the method, location, and amount of bottom material disturbed. Search for "water management specialist" at dnr.wis.gov for additional information.

Minnow harvest and sales. A wild bait harvest permit is required to harvest minnows and transport them away from any water of the state live. A bait dealer license is required to sell minnows or to possess over 600 minnows unless the person is exempted as a resident under 16 years of age who can sell less than \$500 annually and can have up to 5000 of each species. Because of the VHS fish virus, minnows may not be collected in VHS waters and minnows from other locations must be health certified before sale. Non-residents may not sell bait. Check the DNR web site for further details about bait harvest and sales regulations.

Rough fish sales. Rough fish may only be sold to the final consumer unless the seller is licensed as a wholesale fish dealer or commercial fisherman. Netted suckers taken with dipnets or seines may not be sold. Non-residents may not sell smelt or minnows (including suckers).

What is a minnow or rough fish? By Wisconsin law, minnows include suckers, mud minnow, madrons, stonecat, killifish, stickleback, trout perch, darters, sculpins, and all species in the minnow family (except goldfish and carp). Rough fish include suckers, carp, goldfish, rehorse, freshwater drum, burbot, bowfin, gar, buffalo, lamprey, alewife, gizzard shad, smelt, mooneye, and carpsuckers.

YOU MAY NOT:

- ◆ transport water in boats, vehicles, trailers, containers, fishing equipment, or gear of any type when leaving any state waters, banks or shores, or entering Wisconsin over land. This does not apply to any drinking water or up to 2 gallons of water being used to hold minnows purchased from a Wisconsin bait dealer or registered fish farm, which can be legally transported.
- ◆ transport or operate any vehicle, boat, trailer, or object of any kind on any public roadway with any aquatic plants or animals attached. Immediately after leaving any waterbody and before leaving any landing or associated parking area, you must remove all attached aquatic plants or animals.
- ◆ transport any live fish or live fish eggs away from any state waters. There is an exception for minnows obtained from a Wisconsin bait dealer or registered fish farm. These minnows may be transported away live and used again:
 - on the same water, or
 - on any other waters if no lake or river water, or other fish were added to their container.
- ◆ use or possess any fish trap or trammel, cast, gill, or hoop net, or any other kind of fishing net that might take, catch or kill fish except areas where it is specifically authorized.
- ◆ possess or control any bow and arrow, spear, (or similar device) on or along any water that might be used to take, catch, or kill fish except where authorized during the specified open season for rough fish.
- ◆ use firearms, explosives, air guns, or poisons for disturbing or taking any fish.
- ◆ fish with nets, traps, seines, spears (including bow and arrow) or by hand in refuges, other closed areas or trout streams (except it is legal to take rough fish by hand in a trout stream). Such gear or taking fish by hand is also not allowed within 200' of any dam, lock or fish way (except ≤500' outlying waters), or within 500' of posted DNR nets or weirs or except as expressly provided.

- ◆ leave any dip net or seine unattended within 25' of the edge of the water.
- ◆ fish in any other manner while operating a dip net or seine.
- ◆ have in possession any threatened or endangered species without a permit from the department. These include but are not limited to: some species of fish, frogs, muskels, and turtles. See the DNR website, dnr.wi.gov, for more listed species information.
- ◆ cut, use, or maintain an ice hole larger than 12 inches in diameter or square for the taking of fish in any manner through the ice except taking fish with dip nets or skin or scuba diving, taking minnows with minnow traps, spearing on Lake Superior, or sturgeon spearing on Lake Winnebago system waters.

SPEARING RESTRICTIONS

Spearing is defined as fishing with a device consisting of a shaft with an attached sharp point or points and includes spears, bow and arrow, spear guns, and other similar devices.

- ◆ No person shall have under his control any spear or similar device in any enclosure on the ice or waters of the Embarrass River in Shawano County from the Pella Dam downstream, the Wolf River from Shawano Dam downstream to the Fox River and on the ice of the Fox River from Johnson Creek in Green Lake County downstream through Lake Winnebago and all connecting lakes of both streams except when authorized during established sturgeon spearing season.
- ◆ Spearing Ice Hole Restriction: No person may cut, use, or maintain an ice hole larger than 12 inches in diameter or square for the taking of fish in any manner through the ice except spearing on Lake Superior, skin or scuba diving, or sturgeon spearing on the Lake Winnebago system.
- ◆ It is unlawful to use a crossbow for spearing fish. There may be local public safety ordinances that prohibit the use of a bow and arrow in some areas. Please check with your local law enforcement office for further information.

- ◆ Spearing by methods other than bow and arrow is restricted to sunrise to sunset on all waters.

Spearing Bag Limits: There are no bag limits on rough fish.

FISHING WITH BOW AND ARROW

YOU MAY NOT:

- ◆ Take rough fish with a bow and arrow unless the arrow is equipped with a metal barbed tip that is attached to the bow with a tethered line that allows for the retrieval of the arrow and the fish.
- ◆ Release or return any rough fish taken with a bow and arrow, whether dead or alive, to any waters of the state.
- ◆ Leave any rough fish taken with a bow and arrow, whether dead or alive, on the ice or banks of any waters of the state.
- ◆ Violate local ordinances that prohibit the discharge of bow and arrow within their area of jurisdiction. Check for local ordinances on the use of bow and arrow within city, town, or village limits.



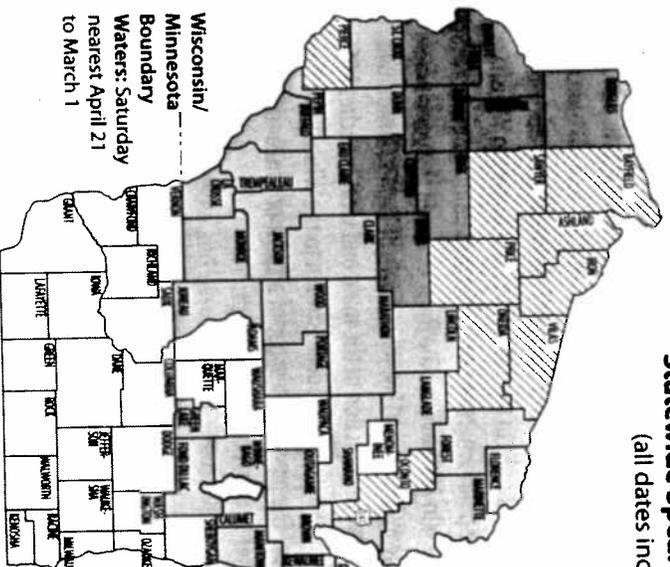
LEGAL HOURS: On all inland, outlying, and boundary waters with an open season for spearing rough fish, the taking of rough fish with a bow and arrow on that body of water is allowed at any time of day, including from sunset to sunrise during that open season.

Underwater Spear Fishing:

It is lawful to take the following fish species with the use of spears and spear guns by skin and scuba diving in all waters where spearing for rough fish is permitted from sunrise to sunset during the listed spearing seasons: white bass, yellow bass (striped), rock bass, crappie, bluegill, perch, pumpkinseed (sunfish) and bullheads provided that the season for these species is also open on the same water. Daily bag limits and length restrictions also apply.

Statewide Spearing Seasons (all dates inclusive)

Check with local authorities for ordinances affecting possession or use of bows and spears.



- April 21 to March 6*
- Saturday nearest May 20 to November 1
- Continuous season*
- ▨ Spearing prohibited**

* Except several Winnebago System waters, which close February 1

** See "Waters closed to spearing" on Page 8 for exceptions.

ROUGH FISH SPEARING SEASON

(Refer to map above)

It is lawful during specified open seasons for any person to take rough fish by means of spears or bow and arrow, and spear guns and spears while skin and scuba diving, unless otherwise specified, in the inland waters or from the shores of inland waters excluding trout streams as follows:

Continuous Season: There is a continuous open season in the counties or listed waters of Adams, Columbia, Crawford, Dane, Dodge, Grant, Green, Iowa, Jefferson, Kenosha, Lafayette, Marquette, Milwaukee, Ozaukee, Racine, Richland, Rock, Sauk (except that

no spearing is permitted in Devil's Lake), Sheboygan, Vernon, Walworth, Washington, Waukesa, Waupaca* (includes the Embarrass River, Wolf River, and Waupaca River downstream from Weyauwega Dam) and Waushara* (except as otherwise listed).

Saturday Nearest March 15 to but not including the Saturday Nearest May 1: Suckers and carp may be speared sunrise to sunset only, in the following trout waters in Waushara County: Willow Creek between the point where the two branches unite in Sec. 12, T18N, R11E, Town of Marion and the dam in Auroraville; Pine River between the point where the said stream crosses the highway in Sec.3, T19N, R12E, Town of Leon to the dam in Poy Sippi and the White River below the junction of the main and west branches in SE 1/4, NE 1/4, Sec. 10, T18N, R10E, Town of Dakota, downstream to the White River flowage in Sec. 13 of Dakota township. The possession or use of a spear or similar device is prohibited at all times on all other streams containing trout.

**April 21 to February 1:* Lakes Winnebago, Poygan, Winneconne, Buttes des Morts, Cincoe, Partridge and Partridge (Crop in Calumet, Fond du Lac, Waushara, Maupaca, and Winnebago counties, and the Fox and Wolf rivers in Winnebago County).

April 21 to March 6: In the counties of Brown, Buffalo, Calumet, (except Lake Winnebago*), Clark, Door, Dunn, Eau Claire, Florence, Fond du Lac, (except Lake Winnebago*), Forest, Green Lake, Jackson, Juneau, Kewaunee, La Crosse, Langlade, Lincoln, Manitowoc, Marathon, (except that spearing is prohibited in the Big Eau Pleine Flowage from the dam upstream to Highway 97 from November 1 to April 20), Marinette, Monroe, Oconto (in that portion of the county east of Highway 141 only), Outagamie, Pepin, Portage, St. Croix, Shawano, Trempealeau, Winnebago (lakes Winnebago, Poygan, Winneconne, Buttes des Morts, and the Fox and Wolf rivers*), and Wood.

Saturday Nearest May 20 to November 1: In Burnett, Chippewa, Douglas, Rusk, Taylor, Washburn, Polk and Barron Counties inland waters. Burbot but no other species, may also be speared sunset to sunrise in the Amnicon and Nemadji Rivers and the Black River upstream to the Soo Line Bridge from December 15 to January 31 in Douglas County and the Bad River, Ashland County.

Waters Closed to Spearing: No person shall have in his possession or under his control on any of the inland waters or shores of inland waters at any time any spear or similar de-

vice that might be used for the purpose of taking, catching or killing fish in the counties of Ashland (except in the Bad River where Burbot but no other species may be taken by means of spears from sunset to sunrise December 15 to January 31 inclusive), Bayfield, Iron, Oconto (in that portion of the county west of Highway 141 only), Oneida, Pierce, Price, Sawyer, and Vilas Counties.

Except: *Saturday nearest May 20 to July 1:* Rough fish may be taken with bow and arrow only in Iron and Sawyer Counties and in Fish Creek Slough (Bayfield Co.) from its mouth to the junction of North and South Fish Creeks.

SPEARING AND NETTING IN BOUNDARY AND OUTLYING WATERS

Wisconsin/Minnesota and Wisconsin/Iowa Boundary Waters: It is unlawful for any person to use a spear or bow and arrow in any manner at any time for the purpose of taking, catching or killing any gamefish of any variety, or to have in possession or under control any fish spear or spring gaff in a fish house (shanty).

Wisconsin/Minnesota boundary waters: Spearing Season: Saturday nearest April 21 to March 1; Rough fish may be taken by means of spears or bow and arrow sunrise to sunset only except for bow and arrow, which may be used on the Wisconsin side of the river from sunset to sunrise.

Wisconsin/Iowa boundary waters: Spearing Season: Continuous open season. Cast nets no larger than 7 feet in diameter or mesh of more than 1/2" stretch measure may be used to take suckers only.

Wisconsin/Michigan Boundary Waters: Spearing of rough fish is legal on the Menominee River from the Saturday nearest April 21 to March 1 in Marinette County and the Saturday nearest April 21 to the first Sunday in March in Florence County; Spearing of rough fish is also legal on Big Bad Water Lake and the Brule River below Hwy 2 from the Saturday nearest April 21 to the first Sunday in March in Florence County. The rough fish spearing season is open to anyone with the appropriate states fishing license on the Wisconsin side of these waters only. Check with Michigan for restrictions on spearing rough fish on the Michigan side of the river. Rough fish may be taken by means of spears

sunrise to sunset only. Bow and arrow may be used at any time of the day. Check for local ordinances on the use of bow and arrow within city, town, or village limits. Check with the state of Michigan for spearing rules on the Michigan side of these boundary waters.

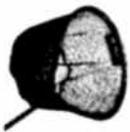
Outlying Waters: It is unlawful to spear any species or variety of fish in the outlying waters at any time, except that rough fish may be speared from sunrise to sunset in all outlying waters, and may be taken with spear guns by the methods known as skin and scuba diving by divers in Lake Michigan. Northern pike may be speared through the ice in Lake Superior. Taking rough fish by bow and arrow only is also allowed from sunset to sunrise.

NETTING

A **Dip Net** is a net suspended from a round or square frame but up to 8 ft. in diameter or square and designed to be raised and lowered vertically to take rough fish or minnows.



A **Landing Net** is a net suspended on a frame with an attached handle that is used to help an angler in landing a fish caught with hook and line. Landing nets may also be used to take rough fish where authorized to use dip nets to take rough fish.



A **Seine** is a net made of circular, square, or long webbing of course twine fitted with floats on the top and sinkers on the bottom. The net forms a bag near the center that entraps fish as it is pulled through the water. Seines may be used to take minnows, whitefish and cisco, and smelt on some waters.



RESTRICTIONS

IT IS ILLEGAL:

- ◆ To take any fish, other than smelt, from Lake Superior, its bays and tributaries, the St. Louis River, and the Montreal River downstream from the Superior Falls dam with traps and nets.

- ◆ To have in possession at any time any kind of net or nets or fish trap except landing net, minnow nets and traps, whitefish and cisco nets, dip nets (may only be set or used from sunrise to sunset), crayfish traps and turtle traps in the following counties: Adams, Barron, Burnett, Calumet, Chippewa, Clark, Columbia, Dane, Dodge, Dunn, Eau Claire, Florence, Fond du Lac, Forest, Green, Green Lake, Iowa, Jackson, Jefferson, Juneau, Lafayette, Langlade, Lincoln, Marathon, Marquette, Monroe, Oneida, Outagamie, Polk, Portage, Price, Richland, Rock, Rusk, Sauk, Sawyer, Shawano, Taylor, Vilas, Walworth, Washburn, Washington, Waushara, Waupaca, Waushara, Winnebago, and Wood or to have in possession or under control any basket traps (slat nets), trammel nets, or wooden traps in Buffalo, Burnett, La Crosse, Pepin, Pierce, Polk, St. Croix, Trempealeau and Vernon (Minnesota boundary waters).

- ◆ to take rough fish from September 15 through December 31 in Lake Michigan tributaries, major Green Bay tributaries, and all other tributary streams and ditches to Green Bay upstream to the first dam or lake from one-half hour after sunset to one-half hour before sunrise.

DIP NETS FOR ROUGH FISH



There is no bag or possession for rough fish taken by dipnetting but no suckers taken with dip nets or seines may be sold or bartered in any manner.

No person, while operating a dip net for rough fish, shall fish for fish in any other manner at that time and no person shall fish with hook and line from any boat while in possession of a dip net, whether in use or not. Only one dip net per person is permitted to take smelt and minnows. Such dip nets must be attended at all times while in use and such nets shall only be raised and lowered vertically when fishing.

Frame Dip Nets: Frame dip nets for rough fish shall not exceed 8 feet in diameter or 8 feet square unless otherwise specified. One frame dip net per person may be used all year to take rough fish at any time in Marinette and Oconto counties in all streams flowing into Green Bay from a point 200 feet upstream from the mouth and extending 15 miles inland in a straight line, except in the Menominee River where dip nets for rough fish and smelt may be used at any time from April 1 to May 14. It shall be unlawful to use any dip net in that part of the Menominee River beginning at the upstream side

of the Hattie Street Bridge in Marinette and extending upstream to the first dam and within 200 feet below all other dams. Frame dip nets used in Menominee River shall not exceed 9 feet square or 9 feet in diameter, making a bag when lifted not more than 4 feet deep.

One frame dip net per person may be used all year to take rough fish in all the non-designated trout streams and rivers, excluding lakes, flowing into Lake Michigan and Green Bay in the counties of Brown, Door, Kenosha, Kewaunee, Manitowoc, Milwaukee, Ozaukee, Racine and Sheboygan in that part of each such stream or river beginning at the mouth and extending upstream to a point 500 feet below the first dam located on such stream or river.

One frame dip net per person may be used sunrise to sunset, from May 1 to March 15, to take rough fish except suckers, in that part of the Fond du Lac River in Fond du Lac County beginning at its mouth and extending upstream 3 miles.

One frame dip net per person may be used from April 25 to May 31 for the removal of rough fish from that part of Lake Winnebago within a distance of 500 feet from the shoreline of Calumet County.

The use of dip nets not more than 2 feet in diameter or 2 feet square to take rough fish in the St. Croix River downstream to the St. Croix Falls Dam, Polk County is permitted from the Saturday nearest May 15 to June 30.

Except in Lake Superior, its bays and tributaries, one dip net not exceeding 8 feet in diameter or 8 feet square may be used in all other inland and outlying waters except designated trout streams at any time of the year, sunrise to sunset, to take rough fish with no bag or possession limit.

NETS FOR SMELT



Smelt taken by nonresidents can not be sold, traded, or bartered in any manner.

Smelt may be taken by same methods and in accordance with seasons and location restrictions for taking other rough fish (see page 10). In addition, smelt may be taken with dip nets and seines as follows:

Frame dip nets not exceeding 8 feet in diameter or 8 feet square may be used all year without hour restrictions for taking smelt in Lake Michigan and all the streams flowing into Lake Michigan and Green Bay beginning at the lake or bay and extending upstream to 500 feet below the first dam. They may be used 5 miles inland from the mouth on streams which have no dam except the Fox River in Brown County from 500 feet below the dam at De Pere.

Seines not more than 75 feet in length and not more than 6 feet in depth may be used at any time during the day or night for taking smelt from April 1 to May 25 in Lake Superior, Lake Michigan, Green Bay and most outlying waters except that portion of the Fox River in Brown County from the dam in the city of DePere downstream 1,500 feet. Seines of this dimension may be used for taking smelt in St. Louis Bay, Superior Bay, Allouez Bay and from the mouth of the St. Louis River upstream to the north 28th St. landing in Douglas County. Seines of this dimension may also be used at any time all year for taking smelt in Beaver Dam Lake, Barron County.

Frame dip nets not exceeding 8 feet in diameter or 8 feet square may be used without hour restrictions from April 1 to May 25 for taking smelt in Lake Superior and all streams flowing into Lake Superior in Ashland, Bayfield, and Iron counties and the Brule River in Douglas County, from the mouth of each stream, inland for one-half mile in a straight line. Zoning does not apply on Bear Creek, Bluff Creek, the Nemadji River, the St. Louis River, and Amnicon River and the other nontour streams in Douglas County, and in the waters of the Chippewa, Bad River (upstream to Copper Falls) and White Rivers in Ashland County not designated as trout stream or on streams where active sea lamprey control structures are located.

Dip nets not exceeding 8 feet in diameter or 8 feet square may be used without hour restrictions to take smelt in Lake Lucerne, Forest County; the Flambeau lake chain, Vilas County, including thoroughfares and tributary streams 200 feet upstream and downstream from the lake basins. The open and closed seasons shall be at the directive of the Regional Director.

Nets for Whitefish and Cisco



Frame dip nets not more than 8 feet in diameter or 8 feet square may be used at any time of day by state residents to take whitefish and cisco in inland waters (except Lake Lucerne in Forest County) from the Saturday nearest October 10 to February 1. The possession limit of whitefish or cisco so taken is 25 pounds and 1 fish in aggregate. Trout Lake in Vilas County: There is a bag limit of 10 fish in total.

Dip nets and seines may be used at any time of the day to take whitefish and cisco from Keyes Lake in Florence County from the Saturday nearest October 10 to January 15 with a daily bag limit of 3 fish.

Seines not to exceed 75 feet in length and a depth not greater than 6 feet and with a mesh not to exceed 2 inches stretch measure may be used at any time of the day by state residents to take whitefish and cisco in inland waters (except Lake Lucerne in Forest County) from the Saturday nearest October 10 to February 1. The possession limit of whitefish or cisco is 25 pounds and 1 fish in aggregate. Palette Lake in Vilas County: Permit required. Trout Lake in Vilas County: There is a bag limit of 10 fish in total.

Nets and Traps for Minnows



It is illegal to take live, wild-harvested minnows away from a waterbody unless authorized under a wild bait harvest permit.

It is illegal for anyone to possess more than 600 minnows except licensed bait dealers and residents younger than 16 years old and doing business as a bait dealer. Residents more than 16 years old must have a bait dealer's license to sell minnows, crayfish, or frogs for bait. Residents under 16 years old and doing business as a bait dealer can possess no more than 5,000 of each species and can sell less than \$500 worth annually without a bait dealer's license. It is illegal for nonresidents to sell minnows, crayfish, or frogs as bait.

Location Restrictions

NO minnow species may be netted or trapped in Lake Superior, Lake Michigan and Green Bay, the Winnebago System (including Wolf and Fox River systems), Mississippi River and

Wisconsin River up to the Prairie du Sac Dam, including all waters connected to these waters upstream to the first barrier impassable to fish (see the VHS pages on the DNR website - dnr.wi.gov - for an up-to-date list of VHS waters). (Exception: suckers may be harvested from these waters but may not leave the water alive). You may not set, use or operate any net, trap or similar device for the taking of minnows on the waters listed above, with the exception of suckers as noted above.

Other Restrictions

Unless you have a permit from the DNR, you may not use minnow seines or minnow dip nets of any type or description in inland trout streams or tributary spring ponds. During the open trout season, people who do not possess a bait dealer's license can't use more than three minnow traps to collect or harvest minnows from trout streams.

Bait minnows may be harvested, where allowed, by the following methods only:

- Hook and line.
- With seines no more than 35 feet long with a mesh no larger than one-half inch stretch measure in inland waters. Fifty-foot lengths of seine may be used in Minnesota and Iowa boundary waters.
- With dip nets no more than eight feet in diameter or square.
- With traps no more than 24 inches long and 16 inches in diameter or square with a throat measuring one-and-a-half inches or less. All traps must bear their owner's name and address and be emptied at least once every 48 hours. Minnow traps on trout streams must be checked at least once every 24 hours.

On Minnesota and Iowa boundary waters, minnows must be removed from traps at least once a day from one hour before sunrise to one hour after sunset.

Minnows and Individual Angler Harvest

Personal harvest of minnows is limited to harvest of minnows where harvest is not restricted (see page 14) and only for use as bait on the water where they were harvested. These minnows can never be transported away from the bank or shore of the water alive. They may be kept in a live box or other container on that water for future use. Wild bait harvest permits are not available to persons other than bait dealers. Anglers are allowed to use up to 3 minnow traps in trout streams during the open trout season.

Minnows and Bait Dealer Harvest

A wild bait harvest permit is required for all licensed bait dealers to harvest wild minnows. These permits include a number of conditions that must be met including gear disinfection and fish health inspections. Full details concerning wild bait harvest can be found on the DNR's website (dnr.wi.gov).

Bait dealers are allowed no more than 20 minnow traps on trout streams during the open trout season, unless they possess a non-standard gear permit issued by the department.

Frogs



Season: The open season for taking frogs is from the Saturday nearest May 1 to December 31.

It is unlawful to take frogs by firearms or airguns.

Possession Limit: 5 of each species (not Threatened or Endangered - see list at dnr.wi.gov), except there is no limit on the number that can be possessed which are collected and possessed for up to 24 hours for fishing bait.

Frogs may be sold for fish bait only under a bait dealers license. It is illegal to sell frogs for other purposes other than fishing bait (except northern leopard frogs may be sold in under a Class A captive wild animal farm license).

Crayfish



Season: Wisconsin/Minnesota Boundary Waters - May 1 to the following March 1
Remainder of State - Continuous open season.

◆ No person may possess live crayfish and angling equipment simultaneously on any water except the Mississippi River, Lake Superior, Lake Michigan, Green Bay, Sturgeon Bay, Sawyer's Harbor, and the Fox River from its mouth up to De Pere Dam.

◆ Must possess a valid fishing license or small game license, except persons under the age of 16 do not need a license.

Crayfish traps placed in trout streams shall conform to the dimensions of minnow traps. See Nets and Traps for Minnows (page 14)

Crayfish scoops may be used in the Wisconsin/Minnesota boundary waters provided the scoops do not exceed 4 feet in length, 3 feet in width and 18 inches in depth attached to a handle not to exceed 4 feet in length.

Crayfish may be taken in all waters by the following means only: By hand, by use of minnow seines and minnow dip nets, where the same are permitted for the taking of minnows, and by crayfish traps (other than in trout streams) with the entrance to the trap not to exceed 2-1/2 inches at the greatest diagonal measurement. Traps must bear the name and address of the owner and must be raised and emptied at least once each day following the day set.

Parts of fish and fish by-products including fish meal or prepared parts of such fish may not be used for bait unless: the fish were caught from the water being trapped, were obtained from a bait dealer, or were used with written authorization from the WDNR. Other meats (e.g., chicken and beef livers) may be used for bait for crayfish.

Floats or markers used to locate traps 1) may not exceed 5 inches in size, 2) may not extend more than 4 inches above the water surface, 3) must clearly display the name and address (in the English language) of the owner or operator, and 4) must not be orange or any other fluorescent color.

Turtles



All residents and non-residents who collect, attempt to collect, or possess native Wisconsin aquatic turtles must possess a valid approval that authorizes the hunting of small game or fishing, unless otherwise exempted from the need for either of these types of licenses because of age. Some species are protected and may not be harvested. Residents under the age of 16 do not need a license but must comply with seasons and possession limits.

These regulations apply to native Wisconsin turtle species, regardless of their origin.

The open turtle season runs from July 15 through November 30.

Turtles or turtle eggs may not be taken during the closed season. Ornate Box, Wood, and Blanding's turtles may not be taken or possessed without an Endangered Species permit. Persons may collect or possess up to 5 individuals of each species with the following exceptions:

- ◆ The possession limit for snapping turtles and softshell turtles is 3 each statewide. The one exception is the Mississippi River, where the possession limit is 10 for snapping turtles and 5 for softshell turtles. The possession limit is not more than 5 total for all other species combined.

Possession Limit for Turtles

Species	WI-IA/WI-MN	Inland
	Boundary Waters	Waters
Snapping	10	3
Softshell	5	3
Others	5 in total	5 in total

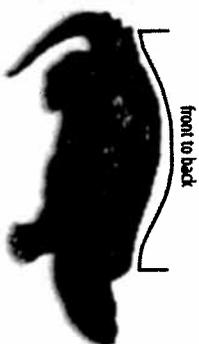
- ◆ Licensed bait dealers and registered fish farmers may possess more than 5 specimens of any unprotected amphibian species which are collected or possessed as part of a bait collection or shipment.

- ◆ It is illegal to sell native amphibians and reptiles, except:
Eastern tiger salamanders, mudpuppies, and northern leopard frogs collected in state may be sold*.

Native amphibians and reptiles collected outside the state may be sold out of state, or to education and research institutions in state. *
Legally harvested dead turtles and their parts may be sold during the open season only. A license is not needed to sell dead turtle parts during the open season.

* A Class A Captive Wild Animal Farm License is required to sell under the above exceptions.

Snapping turtle size limits are a 12-inch minimum and a 16-inch maximum carapace (top shell) length.



There are no size limits for other turtles.

- ◆ Turtles may be taken by hand, dip net, hook and line, set line, set or bank poles, hooking, or hoop net trap (see allowed design). No other trap types are allowed.

- ◆ Turtles may not be taken by hook and line from trout streams during the closed trout season.

- ◆ The number of hoop traps that can be operated are 10 in Iowa-Wisconsin or Minnesota-Wisconsin boundary waters and 3 in all other waters of the state.

Hoop net trap specifications: Traps must be made of stretchable fabric (e.g., nylon) and must have a minimum mesh stretch of 6 inches. No wire mesh is allowed. Each trap must have a metal tag showing the name and address of the operator attached, and must be visible above the water's surface. The operator identified on the trap tag is the only person authorized to tend these traps. Traps must be set with the hoops exposed a minimum of two inches above the water's surface. Turtle traps must be checked and the entrapped contents removed at least once each day after the day they are set in all waters.

Single Entrance Hoop Trap

