Chapter WCD 22

WISCONSIN–IOWA BOUNDARY WATERS

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(Sections 29.085 and 29.174, Wis. Stats.)

WCD 22.01 Mississippi river boundary water defined. For the purpose of hook and line fishing in the Mississippi river interstate boundary waters to apply to residents of Wisconsin and nonresident hook and line fishermen properly licensed under sections 29.09 and 29.14, Wis. Stats., all waters from the Chicago, Burlington and Quincy railroad tracks on the east side of the Mississippi river and extending west from said railroad tracks to that part of the river following the boundaries between the state of Wisconsin and Iowa shall be defined as interstate boundary waters.

History: 1–2–56; am. Register, December, 1957, No. 24, eff. 1–1–58; am. Register, December, 1959, No. 48, eff. 1–1–60.

WCD 22.02 Seasons, limits. (1) There shall be established and maintained on the interstate boundary waters between the states of Wisconsin and Iowa, which boundary waters are more particularly described under section WCD 22.01, the open and closed seasons for the taking of the various varieties and species of fish, bag limits, size limits, possession limits, and other rules and regulations as set forth herein.

(2) A closed season is established for each variety and species of fish named herein extending for the entire period of each year except the open season period embraced within the specified dates, both inclusive; and except as otherwise expressly provided, no person or persons shall take, catch, kill, or fish for fish of any variety at any time other than the open season therefor, nor have in his possession nor under his control any fish in excess of the daily bag limit or possession limit, nor below the minimum size limit therefor at any time during the open season as provided in this chapter.

(3) The measurement of length of fish shall be taken in a straight line from the tip of the snout to the utmost end of the tail fin fully extended.

History: 1–2–56; am. Register, December, 1959, No. 48, eff. 1–1–60.

WCD 22.03 Hook and line fishing. The following seasons, bag limits and other rules and regulations for hook and line fishing are established. The possession limit for each species shall be double the daily bag limit.

Kind of fish	Open season	Daily bag limit	
		Quantity	Minimum length
(1) LARGEMOUTH AND SMALLMOUTH BASS	Continuous	5 in aggregate	No size limit
(2) WALLEYE AND SAUGER	Continuous	10 in aggregate	No size limit
(3) NORTHERN PIKE	Continuous	5	No size limit
(4) WHITE BASS	Continuous	No bag limit	No size limit
(5) CRAPPIE	Continuous	No bag limit	No size limit
(6) ROCK BASS	Continuous	No bag limit	No size limit
(7) PUMPKINSEED (SUNFISH) AND BLUEGILL	Continuous	No bag limit	No size limit
(8) PERCH	Continuous	No bag limit	No size limit
(9) CATFISH	Continuous	No bag limit	No size limit
(10) BULLHEAD	Continuous	No bag limit	No size limit
(11) HACKLEBACK (SAND OR SHOVELNOSED) STURGEON	Continuous	No bag limit	25 inches
(12) ROCK STURGEON	No open season		
(13) PADDLEFISH (SPOONBILL CATFISH)	No open season		
(14) ROUGH FISH	Continuous	No bag limit	No size limit

(15) SALE PROHIBITED; EXCEPTIONS. No such fish shall be sold, purchased, bartered, offered for sale, or had under control or in possession for the purpose of sale or barter at any time except legally taken and possessed rough fish at all times, catfish 13 inches or over in length in the round or 10 inches dressed with head off and tail on, hackleback sturgeon 25 inches or over, and bullheads. The minimum length for bullheads offered for sale shall be 7 inches dressed with head off and tail on or 9 inches in the round.

(16) CRAYFISH. There shall be an open season for the taking of crayfish from May 1 to March 1, both dates inclusive, with no bag limit and no size limit.

History: 1–2–56; r. and recr. Register, December, 1957, No. 24, eff. 1–1–58; am., renum. (16) from WCD 22.04, Register, December, 1959, No. 48, eff. 1–1–60.

WCD 22.04 Rough fish. Rough fish, for the purpose of this chapter, shall be defined as follows: carp, dogfish, redhorse, sheepshead, sucker, eel, eelpout, garfish, buffalo fish, quillback, mooneye, goldeye, shad and turtle.

History: 1–2–56; am. Register, December, 1957, No. 24, eff. 1–1–58; renum. from WCD 22.05 and am. Register, December, 1959, No. 48, eff. 1–1–60.

WCD 22.05 Use of hook and line. (1) It shall be unlawful for any person to use or operate more than 2 lines or 2 poles with one line attached to each pole and with one bait to each line, except that fly fishermen may use 2 flies on one line, or with any fish line or lines unattended or by snagging or fouling with any hook, or by means other than angling or trolling except as otherwise provided by the

Wisconsin statutes or by commission order. It shall be unlawful for any person to take game fish of any variety at any time by any means other than with hook and line, except as provided in this chapter. Five lines with one bait to each line may be used for fishing through the ice.

(2) It shall be lawful for any person to take, catch, kill or fish for fish by means of trolling from a motor driven boat, sailboat or other boat while such boat is in motion.

History: 1–2–56; am. (1) and (3), Register, December, 1957, No. 24, eff. 1–1–58; renum. from WCD 22.06 and am. Register, December, 1959, No. 48, eff. 1–1–60.

WCD 22.06 Use of spears. It shall be unlawful for any person to use a spear, similar device or bow and arrow in any manner at any time for the purpose of taking, catching, or killing any game fish of any variety, or to have in possession or under control any fish spear, spring gaff or similar device or bow and arrow in a fish house (shanty). Rough fish may be taken by means of spears or bow and arrow in the daytime only.

History: 1–2–56; am. Register, December, 1957, No. 24, eff. 1–1–58; renum. from WCD 22.10 and am. Register, December, 1959, No. 48, eff. 1–1–60.

WCD 22.07 Minnow nets and traps. (1) No person shall set, use or operate any minnow seine, minnow dip net or minnow trap other than as specified herein.

(2) The following described gear only may be used for the taking of minnows for bait:

(a) *Minnow seines.* Minnow seines shall not exceed 50 feet in length, 5 feet in depth, and shall contain mesh not to exceed one-half inch stretch measure.

(b) *Minnow dip nets.* Minnow dip nets used for taking, catching, or killing minnows shall be defined as follows: A piece of netting suspended from a square or round frame not exceeding 6 feet in diameter or 6 feet square and making a bag when lifted not more than 4 feet deep. It shall be unlawful to use dip nets in any manner other than raising and lowering vertically when fishing.

(c) *Minnow traps.* Minnow traps shall be of a length not greater than 24 inches and a diameter of not more than 16 inches with an opening in the throat of the trap not larger than one and one-half inches in diameter. Such traps shall have securely attached to them a label or tag clearly bearing in the English language the name and address of the operator. All minnow traps shall be raised and the minnows removed from them at least once in every 24 hours.

(3) There shall be no bag or possession limit on minnows so taken.

History: 1–2–56; renum. from WCD 22.08 and am. Register, December, 1959, No. 48, eff. 1–1–60.

WCD 22.08 Set lines (trot lines) and set hooks. (1) It shall be unlawful for any person to set or operate more than 8 set lines (trot lines) with not to exceed a total of 50 hooks to each line and not to

exceed a total of 400 hooks in the aggregate, for taking, catching, killing, or fishing for catfish 13 inches or over in length, hackleback sturgeon 25 inches or over in length, bullheads and rough fish only; size limits shall conform to the provisions of section WCD 22.09; in such fishing it shall be unlawful to use any frog or game fish, either dead or alive, as bait.

(2) Such set lines (trot lines) may be used all year and shall be equipped with a metal tag as prescribed in section 29.37, Wis. Stats. Licenses for such set lines (trot lines) shall be obtained pursuant to section 29.37, Wis. Stats.

(3) At one end of every licensed set line (trot line) there shall be placed and maintained a white flag, not less than 16 inches square, with the upper end of the staff extending at least 2 feet above the water and numbered with figures at least 3 inches in height corresponding with the number of the license authorizing the use of such set line. It shall be lawful to use buoys in lieu of flags providing that same are numbered with figures at least 3 inches in height corresponding with the number of the license authorizing the use of such set lines.

(4) SET OR BANK POLES (SET HOOKS). Set or bank poles (set hooks) may be used for the taking, catching, killing or fishing for catfish 13 inches or over in length, hackleback sturgeon 25 inches or over in length, bullheads and rough fish only, during the period of time extending from May 1 to the next succeeding October 31; size limits shall conform to the provisions of section WCD 22.09. In such fishing it shall be unlawful to use any game fish or frog, either dead or alive as bait.

(5) Each such set or bank pole (set hook) shall be equipped with a metal tag as prescribed in section 29.36, Wis. Stats. Licenses for such set or bank poles (set hooks) shall be obtained pursuant to section 29.36, Wis. Stats.

History: 1–2–56; am. (1), Register, December, 1957, No. 24, eff. 1–1–58; renum. from WCD 22.07 and am. Register, December, 1959, No. 48, eff. 1–1–60.

WCD 22.09 Use of nets. (1) All commercial fishermen conducting fishing operations shall comply with the provisions of sections 29.34, 29.37 or 29.343, Wis. Stats., whichever applies. It shall be lawful for any person properly licensed to use the following type nets for the taking of all species of fish as listed under paragraph (3). Whenever the size of mesh is mentioned, the measurement shall be made by stretch measure except in basket traps (slat nets). Such measurements shall apply to net meshes when in use and no allowance shall be made for the shrinkage due to any cause.

(2)

Type net	Season	Specifications	Restrictions on use
Seine	All year	Any dimensions Any size mesh	No fishing on Sundays or legal holidays except from the time the ice goes out until May 1st. No night fishing except as provided in WCD 22.09 (11). No operations within 900 feet of any dam on the Mississippi river.
Buffalo net	All year	Any dimensions Any size mesh	Must be raised and emptied once each 48-hour period unless a longer period is granted by the Wisconsin Conservation Commission or its agents. No operations within 900 feet of any dam on the Mississippi river.
Bait net	All year	Any size mesh Not over four foot hoop front.	Must be used without lead or leads. Must be raised and emptied once, except for bait, each 48-hour period unless a longer period is granted by the Wisconsin Conservation Commission or its agents. No operations within 900 feet of any dam on the Mississippi river.
Frame net	Closed season May 15 to Sept. 15 inclusive	Any size mesh not over 4 x 8 foot hoop front with a single lead	Must be raised and emptied once each 48-hour period unless a longer period is granted by the Wisconsin Conservation Commission or its agents. No operations within 900 feet of any dam on the Mississippi river.

(3) A commercial fishing season with nets is hereby established for persons properly licensed pursuant to section 29.34, Wis. Stats., as follows:

Kind of fish	Open season	Minimum length
(a) **Bullhead**	No closed season	9 inches in the round 7 inches dressed
(b) **Buffalo**	No closed season	15 inches
(c) **Carp**	No closed season	None
(d) **Catfish**	No closed season	13 inches in the round 10 inches with head off and tail on
(e) **Dogfish**	No closed season	None
(f) **Garfish**	No closed season	None
(g) **Quillback**	No closed season	None
(h) **Redhorse**	No closed season	12 inches
(i) **Hackleback (sand or shovelnosed) sturgeon**	No closed season	25 inches
(j) **Sheepshead**	No closed season	No size limit
(k) **Sucker**	No closed season	12 inches
(l) **Mooneye, goldeye, shad**	No closed season	None
(m) **Turtle**	No closed season	None
(n) **Eel**	No closed season	None

All others. The taking of all other types of fish not mentioned in this section or under the minimum length or weight prescribed in this section is prohibited.

(4) Gill nets with a mesh of seven inches stretch measure or larger may be used at all times for the taking of rough fish and catfish 13 inches or over in length. All gill nets shall be lifted and emptied of fish at least once in every 48-hour period when set in open water and at least once in every 96-hour period when set under the ice, unless a longer period is granted by the Wisconsin Conservation Commission or its agents.

(5) No net or nets may be used or operated in any waters within 900 feet below any dam on the Mississippi river.

(6) The Wisconsin Conservation Commission may at its discretion require supervision of commercial fishing operations and said commission may require the operators of such nets to pay for supervision individually or in groups in the manner they deem advisable, and said commission shall fix the amount to be paid each supervising warden. The conservation commission may also allow at any time one supervising warden for as many seine, hoop net, frame net (wing net), fyke net or gill net operations as it deems advisable.

(7) The conservation commission or its agents may also require at any time any operator of any seine, gill net, buffalo net, frame net, bait net, basket trap (slat net) or set line to cease the fishing operations of such net or nets when said commission finds these operations are proving destructive to game fish or for any other good or valid reason.

(8) The use or operation of all other nets excepting those mentioned in this chapter is prohibited in these waters at all times.

(9) Basket traps (slat nets) not more than 6 feet in length and not more than 72 inches in circumferences, over-all dimensions, and with one end thereof closed with webbing of a mesh not less than one and one-fourth inches bar or square measure may be used for the taking of rough fish, bullheads 9 inches or over and catfish 13 inches or over during that period of time extending from May 1 to the next succeeding October 31 and shall be equipped with a metal tag as prescribed in section 29.343, Wis. Stats. Such webbing shall be attached in such manner that the length, depth or width of each mesh is not decreased. Licenses for such basket traps (slat nets) shall be obtained pursuant to section 29.343, Wis. Stats. All such nets mentioned above must be lifted at least once in every 48-hour period, unless a longer period is granted by the Wisconsin Conservation Commission or its agents.

(10) It shall be lawful for any person licensed pursuant to section 29.343 (3), Wis. Stats., to use a trammel net not more than 300 feet in length and with a mesh of any size for the taking of fish as set forth in section WCD 22.09. Such trammel nets may be used in that part of the Mississippi river between the states of Wisconsin and Iowa under the jurisdiction of the state of Wisconsin which lies within the navigation channel as established by the United States War Department; in Twelve Mile (Cassville) slough, State Line slough and Hurricane Chute in Grant county. Such trammel nets may be used in a drifting manner only. It shall be unlawful for any person to use or operate any trammel net in any manner except as provided in this section.

(11) No net or nets of any kind or set lines shall be lifted, hauled or drawn in any manner between one-half hour after sunset and one hour before sunrise of the following morning, except for the purpose

of completing a seine haul with the permission of the supervisor nor shall any net, except a trammel net, be used in a drifting manner.

(12) All fishermen licensed under the provisions of sections 29.34, 29.37 and 29.343, Wis. Stats., shall report to the conservation commission on blanks to be furnished by the commission, detailed information regarding their activities which shall include the number of pounds and varieties of fish taken, amounts returned to the water and any other information pertaining to commercial fishing activities required by the conservation commisson.

(13) No licensed commercial fisherman or any member of his crew or any person in his boat shall have in his possession any panfish or game fish or sport angling equipment while operating licensed commercial gear, including set lines, or while traveling to or from the operation of such gear.

History: 1–2–56; r. and recr. Register, December, 1957, No. 24, eff. 1–1–58; renum. from WCD 22.11 and am. Register, December, 1959, No. 48, eff. 1–1–60.

WCD 22.10 Boundary, commercial fishing. For the purpose of clamming, set line and commercial net fishing, the Mississippi river shall be designated as that part of the river following the boundaries between the states of Wisconsin and Iowa.

History: 1–2–56; renum. from WCD 22.12 and am. Register, December, 1959, No. 48, eff. 1–1–60.

WCD 22.11 Reciprocity, hook and line fishing. All residents of Wisconsin and Iowa holding a resident hook and line fishing license from their respective states, or residents of states other than Wisconsin and Iowa holding a hook and line fishing license issued by either state may fish in any of the waters lying between the Chicago, Milwaukee and St. Paul railway tracks on the Iowa side of the river and the Chicago, Burlington and Quincy railway tracks lying on the Wisconsin side of the river during the open season for hook and line fishing. This reciprocity does not apply to clammers or commercial gear operators.

History: 1–2–56; am. Register, December, 1957, No. 24, eff. 1–1–58; renum. from WCD 22.13 and am. Register, December, 1959, No. 48, eff. 1–1–60.

WCD 22.12 Illegal fish. All illegal fish which are taken and cannot be returned alive or unharmed to the water shall be turned over to the conservation commission or its duly authorized agents. No person shall at any time throw into the boundary waters any dead fish or part thereof, but each fisherman shall bring to shore at his base of operations all such dead fish and parts thereof.

History: Cr. Register, December, 1959, No. 48, eff. 1–1–60.

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