

98-023-NR20-21 FISHING (COMM./RECREAT)

cf. -

NR 20, 21, 23, 25, 26

State of Wisconsin
Department of Natural Resources

98-023

**NOTICE TO PRESIDING OFFICERS
OF PROPOSED RULEMAKING**

Pursuant to s. 227.19, Stats., notice is hereby given that final draft rules are being submitted to the presiding officer of each house of the legislature. The rules being submitted are:

Natural Resources Board Order No. FH-12-98

Legislative Council Rules Clearinghouse Number 98-023

Subject of Rules Recreational and commercial fishing regulations and fish refuges on the inland, outlying and boundary waters.

Date of Transmittal to Presiding Officers June 9, 1998

Send a copy of any correspondence or notices pertaining to this rule to:

**Carol Turner, Rules Coordinator
DNR Bureau of Legal Services
LC/5, 101 South Webster**

266-1959

REPORT TO LEGISLATURE

NR 20, 21, 23, 25 and 26, Wis. Adm. Code
Recreational and commercial fishing regulations and fish refuges
on the inland, outlying and boundary waters

Board Order No. FH-12-98
Clearinghouse Rule No. 98-023

Statement of Need

The proposed changes in the fishing regulations, summarized on the rule, include: increasing the minimum length limit from 12" to 14" and establishing a combined daily bag limit of 5 for largemouth and smallmouth bass in Green Bay and Lake Michigan; repealing the Mid Lake refuge and allowing fishing for species other than lake trout in this area; increasing the daily bag limit for brown trout greater than 20" from 2 to 5 and reduces the minimum length limit for rainbow trout from 28" to 26" on Lake Superior; establishing a 40" minimum length limit for muskellunge in all waters of St. Croix county; establishing procedures for closing waters to bait harvest when detrimental nonindigenous species are found; establishing a 15" minimum length limit for walleye and sauger on Pool 3 of the Mississippi river on Wisconsin-Minnesota boundary waters; increasing the minimum length limit for bass on all Wisconsin-Michigan boundary waters from 12" to 114" and making the season consistent with other inland waters of Wisconsin; various changes to minimum length limits, daily bag limits, or both, on selected waters; and creation of three fish refuges.

Modifications as a Result of Public Hearings

The effective dates of the refuge on Rice Creek, Barron County, were changed from January 1 to May 1 to April 1 to May 31, for consistency with other Barron County refuges. Three proposals were dropped as a result of comments from the public hearings: the proposal to allow trolling with one line per angler on all waters currently closed to trolling and prohibiting row trolling while a propulsion device (i.e., a motor) is in the water; and second, increasing the minimum length limit from 14" to 18" and third, reducing the daily bag limit from 5 to 1 for largemouth and smallmouth bass on Sidie Hollow and Runge Hollow lakes, Vernon County

Appearances at the Public Hearings and Their Position

Public hearings were held in all 72 counties on April 13, 1998. The results of those hearings, by question, is as follows:

Question	Yes	No
Allow fishing in the Mid Lake refuge	1,062	309
Brown and rainbow trout in Lake Superior	1,432	137
Bass in Lake Michigan and its tributaries	1,959	191
18" minimum length limit for bass		
Little Clam Lake, Ashland Co.	248	92
Sailor Lake, Price Co.	122	109
Big Muskellunge Lake, Vilas Co.	130	165
Forest Lake, Vilas Co.	145	225
Wabasso Lake, Vilas Co.	135	153
West Plum Lake, Vilas Co.	187	152
Long, Herde & Dark Lakes, Chippewa Co.	288	178
Silver Lake, Kenosha Co.	146	146

Jersey Valley lake, Vernon Co.	76	180
Delavan lake, Walworth Co.	196	202
Bass in Shishebogama Lake, Oneida Co.	378	119
Bass in Brekke Lake, Waupaca Co.	169	80
Walleye in Shell Lake, Washburn Co.	283	106
Sauger in the Lake Winnebago system	1,577	175
Northern pike regulations:		
Lake Winnebago system	1,231	259
Pella Pond, Shawano Co.	248	7
Chippewa River	165	24
Sheboygan Marsh, Sheboygan Co.	195	77
Trout regulation category for Pike River, Marinette Co.	262	14
Trout boundary change on Mecan River, Marquette Co.	393	37
Catch and release only fishing		
Stress Springs, Sawyer Co.	340	46
Namekagon River, Sawyer Co.	355	77
Seas Branch, Vernon Co.	211	75
Upper Pine/Soules Creek, Waushara Co.	219	76
40" length limit for muskellunge in St. Croix Co.	325	46
Bait harvest when nonindigenous species present	2,662	467
15" length limit for walleye on Pool 3	1,470	129
Bass regulations on Wis.-Mich. Boundary waters	1,879	68
Fish refuge on Wingra Creek, Dane Co.	350	12
Fish refuge on Spring Creek, Barron Co.	468	92
Fish refuge on the Wolf River, Langlade Co.	357	29
Fish refuge on Rice Creek, Barron Co.	600	74
Position fishing and motor trolling	1,322	1,969
Bass length limit and daily bag limit on:		
Sidie Hollow, Vernon Co.	53	163
Runge Hollow Lake, Vernon Co.	90	133

Response to Legislative Council Rules Clearinghouse Report

The recommendations were accepted.

Final Regulatory Flexibility Analysis

The proposed rules regulate individuals; therefore, a final regulatory flexibility analysis is not required.

END



END

ORDER OF THE STATE OF WISCONSIN
NATURAL RESOURCES BOARD
REPEALING, RENUMBERING, AMENDING AND CREATING RULES

The Wisconsin Natural Resources Board adopts an order to repeal NR 20.03(1)(a)17., 21.04(2)(b), 23.05(5)(d)2. and 26.23(3); to renumber NR 26.08(13)(a); to amend NR 20.02(1)(d)1., 3., and (e)1., 20.03(1)(a)2. and 3., (c)10., 12., 14. and 15., (d)6., (4)(g)37., 38., 56., 62. and 69., (6)(d)1.zb., 21.04(2)(c) and 23.05(5)(d)1.; and to create NR 20.015(7g), 20.02(1)(d)2., 20.03(1)(a)5m. and (8)(cm), 25.10(2)(i), 26.08(13)(a), and 26.09(3)(am), (i) and (34) relating to recreational and commercial fishing regulations and fish refuges on the inland, outlying and boundary waters.

FH-12-98

Analysis Prepared by the Department of Natural Resources

Statutory authority: ss. 29.174 and 227.11(2)(a), Stats.
Statutes interpreted: ss. 29.085 and 29.174(2)(a), Stats.

In this order:

Section 1 creates a definition of waters included in the "Lake Winnebago system";

Sections 2, 3, 26 and 32 allow fishing within the area of Lake Michigan formerly known as the "Mid Lake refuge" by repealing the refuge, closing the season for lake trout and prohibiting its possession in the area that was formerly the refuge, with a daily bag limit of 0 for lake trout for sport anglers and continued closure of the area to commercial fishing;

Section 4 increases the daily bag limit for brown trout greater than 20" from 2 to 5 and reduces the minimum length limit for rainbow trout from 28" to 26" on Lake Superior;

Sections 5 and 9 increase the minimum length limit from 12" to 14" and establish a combined daily bag limit of 5 for largemouth and smallmouth bass in Green Bay, Lake Michigan (except around Washington island) and their tributaries;

Section 6 establishes an 18" minimum length limit and daily bag limit of 1 for largemouth and smallmouth bass on: Little Clam lake, Ashland county; Sailor lake, Price county; Big Muskellunge, Forest, Wabasso and West Plum lakes, Vilas counties; and reduces the minimum length limit from 18" to 14" and increases the daily bag limit from 1 to 5 in total for bass in Shishebogama lake, Oneida county;

Section 7 establishes an 18" minimum length limit and daily bag limit of 1 for largemouth and smallmouth bass on: Long, Herd and Dark lakes, Chippewa county; Silver lake, Kenosha county; Jersey Valley lake, Vernon county; and Delavan lake, Walworth county;

Section 8 establishes a protected slot length limit of 14" to 18" and a daily bag limit of 3 in total, with only 1 fish larger than 18" allowed on Brekke lake, Waupaca county;

Section 10 establishes a 14" to 18" protected slot length limit and a daily bag limit of 5 in total, with only 1 fish larger than 18", for walleye and sauger on Dark and Herde lakes and tributaries to the Yellow river, Chippewa county;

Sections 11 and 12 eliminate the restriction that allowed only 1 walleye larger than 14" to be harvested daily from Shell lake, Washburn county, and establish a no minimum length limit and 5 daily bag limit;

Section 13 establishes a daily bag limit of 0 for sauger on the Lake Winnebago system (as defined in section 4m);

Section 14 establishes a 26" minimum length limit and a daily bag limit of 2 for northern pike on Pella pond, Shawano county and the entire Lake Winnebago system, and excludes the lower Chippewa river south of U.S. highway 10, Buffalo and Pepin counties, and Sheboygan marsh, Sheboygan county, from the 26" minimum length limit and 2 daily bag limit;

Section 15 changes the trout regulation category from 5 to 4 for the Pike river, Marinette county;

Section 16 extends the downstream boundary of the category 5 trout regulation segment on the Mecan river, Marquette county, from state highway 22 to the Germania barrier;

Section 17 establishes catch and release only fishing with artificial lures for trout in Stress springs and the Namekagon river from Airport road upstream to the Phipps dam, Sawyer county;

Section 18 establishes catch and release only fishing with artificial lures and barbless hooks for trout in Seas branch, Vernon county, upstream from the impoundment in T13N R4W S14;

Section 19 establishes catch and release only fishing with artificial lures and barbless hooks for trout in the upper Pine river (upstream from Wild Rose millpond) and Soules creek (upstream from Wautoma millpond), Waushara county;

Section 20 establishes a 40" minimum length limit for muskellunge in all waters of St. Croix county;

Section 21 establishes procedures for closing waters to bait harvest when detrimental nonindigenous species are found to be present;

Sections 22 and 23 establish a 15" minimum length limit for walleye on Pool 3 of the Mississippi river;

Sections 24 and 25 increase the minimum length limit for bass on all Wisconsin-Michigan boundary waters from 12" to 14" and makes the season consistent with other inland waters of Wisconsin;

Sections 27 and 28 establish a fish refuge on Wingra creek, Dane county, from the Wingra Lake spillway downstream for 50 feet;

Section 29 establishes a fish refuge on Spring creek, Barron county, for 100 feet upstream and downstream of county highway M from April 1 to May 31;

Section 30 establishes a fish refuge on Rice creek, Barron county, for 100 feet upstream and downstream of state highway 8 from January 1 to May 1;

Section 31 establishes a fish refuge on Wolf river, Langlade county, from the Post Lake dam downstream for 75 feet to the bottom of the first rapids from April 1 to May 31;

SECTION 1. NR 20.015(7g) is created to read:

NR 20.015(7g) "Lake Winnebago system" means lakes Butte des Morts, Poygan, Winnebago and Winneconne and all their tributaries from their mouths upstream to the first dam, including: Fox river upstream to the dam above Princeton and all its tributaries from their mouths upstream to the first dam; and Wolf river upstream to the dam in the city of Shawano and all its tributaries from their mouths upstream to the first dam including Cincoe lake, Partridge Crop lake and Partridge lake.

SECTION 2. NR 20.02(1)(d)1. is amended to read:

Species	Area	Open season	Daily bag limit	Minimum length (in.)
(d) Trout and Salmon	1. Lake Michigan and Green Bay <u>except that portion described in subd. 2.</u>	All year except the open season for lake trout is from March 1 through October 31	5 in total of which only 2 may be lake trout and, from April, 1995, through March 31, 1996, no more than 3 may be coho salmon.	10

SECTION 3. NR 20.02(1)(d)2. is created to read:

Species	Area	Open season	Daily bag limit	Minimum length (in.)
(d) Trout and Salmon	2. Lake Michigan within the following area: waters bounded by a line beginning at a point where 43 degrees 7 minutes north latitude and 87 degrees 40 minutes west longitude intersect, then northerly to 43 degrees 20 minutes north latitude, easterly to 87 degrees 20 minutes west longitude, northerly to 43 degrees 30 minutes north latitude, easterly to the Wisconsin-Michigan state line, southerly along the Wisconsin-Michigan state line to 43 degrees north latitude, westerly to 87 degrees 14 minutes west longitude, northerly to 43 degrees 3 minutes north latitude, westerly to 87 degrees 18 minutes west longitude, southerly to 43 degrees north latitude, westerly to 87 degrees 23 minutes west longitude, northwesterly to 43 degrees 7 minutes north latitude, and westerly to 87 degrees 40 minutes west longitude. This area encompasses the elevated areas of the lake bed commonly known as the Sheboygan reef, the Northeast reef, the Milwaukee reef, and the East reef.	All year except there is no open season for lake trout.	5 in total, of which 0 may be lake trout. No person may possess lake trout within this area	10

SECTION 4. NR 20.02(1)(d)3. is amended to read:

Species	Area	Open season	Daily bag limit	Minimum length (in.)
(d) Trout and Salmon	3. Lake Superior	All year except the open season for lake trout is from December 1 through September 30.	10 in total, of which no more than 5 may be salmon and no more than 5 may be trout. Of the 5 trout, no more than 2 may be brown trout longer than 20 inches; no more than 1 may be a rainbow trout; no more than 3 may be lake trout; and no more than 1 may be a lake trout longer than 25 inches.	28 26 for rainbow trout; 15 for other trout and salmon

SECTION 5. NR 20.02(1)(e)1. is amended to read:

Species	Area	Open season	Daily bag limit	Minimum length (in.)
(e) Largemouth and Smallmouth Bass	1. Lake Michigan and Green Bay (excluding waters within 1/4-mile of Washington, Detroit, Plum, Pilot, Hog and Rock Islands)	First Saturday in May to March 1	5 of each in total	12 14

SECTION 6. NR 20.03(1)(a)2. is amended to read:

Kind of fish and locality	Open season (both dates inclusive)	Daily bag limit	Minimum length (inches)
(a) LARGEMOUTH AND SMALLMOUTH BASS (See also s. NR 20.04)			
2. Lake Three, Day lake, East Twin lake, <u>Little Clam lake</u> , Mineral lake and Spillerberg lake, Ashland county; Crooked and Lund lakes, Bayfield county; Crane, Luna, McKinley, Pickerel, Three Johns, Trump, White Deer and Windfall lakes, Forest county; Evelyn, O'Brien and One Man lakes, Iron county; Bearskin, Crescent, Oneida, Pelican, Shishebogama and Stella lakes, Oneida county; Cochram and Bass lakes (T38N, R2W, sec. 18) and <u>Sailer lake</u> , Price county; Black lake, Sawyer county; <u>Big Muskellunge</u> , East Ellerson, <u>Forest</u> , Gunlock, Little Bass (T40N, R8E, sec. 15), Middle Ellerson, Papoose, Plum (T41N, R42E, sec. 31&32), Salsich, Trout, <u>Wabasso</u> , <u>West Plum</u> , White Sand (T42N, R7E, sec. 27), and Whitney lakes, Vilas county	First Saturday in May to Friday preceding the third Saturday in June Third Saturday in June to March 1	0 1 in total	-- 18

SECTION 7. NR 20.03(1)(a)3. is amended to read:

Kind of fish and locality	Open season (both dates inclusive)	Daily bag limit	Minimum length (inches)
(a) LARGEMOUTH AND SMALLMOUTH BASS (See also s. NR 20.04)			
3. <u>Long</u> , <u>Herde and Dark lakes</u> , Chippewa county; Fish lake, Mud lake (T9N, R7E, sec. 3,4), Lake Mendota, Dane county; Fox lake, Dodge county; <u>Silver lake</u> , Kenosha county; Eagle lake, Racine county; <u>Jersey Valley lake</u> , Vernon county; <u>Delavan lake</u> , Walworth county; Big Muskego lake, including Bass bay, Waukesha county	First Saturday in May to March 1	1 in total	18

SECTION 8. NR 20.03(1)(a)5m. is created to read:

Kind of fish and locality	Open season (both dates inclusive)	Daily bag limit	Minimum length (inches)
(a) LARGEMOUTH AND SMALLMOUTH BASS (See also s. NR 20.04) 5m. Brekke lake, Waupaca county	First Saturday in May to March 1	3 in total, but only 1 may be longer than 18"	No minimum length but the possession of fish from 14 through 18 inches is prohibited

SECTION 9. NR 20.03(1)(a)17. is repealed.

SECTION 10. NR 20.03(1)(c)10. is amended to read:

Kind of fish and locality	Open Season (both dates inclusive)	Daily bag limit	Minimum length (inches)
(c) WALLEYE, SAUGER AND HYBRIDS THEREOF (see also s. NR 20.04) 10. English lake, Ashland county; <u>Dark, Herde and Long lake</u> lakes, <u>Yellow river and tributaries</u> , Chippewa county; Chippewa river from Dells Pond dam (Eau Claire county) upstream to Radison flowage dam (Sawyer county) including all impoundments and all tributaries upstream to the first dam or lake, Chippewa, Eau Claire, Rusk and Sawyer counties; Jump river and its tributaries upstream to the first dam or lake, Chippewa, Price, Rusk and Taylor counties; Butternut and Franklin lakes, Forest county; Boot, Long and McDermott lakes, Iron county; North Spirit, Spirit, Thompson and Whitcomb lakes, Price county; Flambeau river from its confluence with the Chippewa river upstream to the Thornapple flowage dam and its tributaries upstream to the first dam or lake, Rusk County; Grindstone lake, Sawyer county; Diamond, North Harper, Rib, Sackett and South Harper lakes, Taylor county; Anvil, Big Portage, Forest, Lost Canoe, Plum and White Sand (T42N R7E S27) lakes, Vilas county	First Saturday in May to March 1	5, but only 1 may be longer than 18"	No minimum length, except the possession of fish from 14" through 18" is prohibited

SECTION 11. NR 20.03(1)(c)12. is amended to read:

Kind of fish and locality	Open Season (both dates inclusive)	Daily bag limit	Minimum length (inches)
(c) WALLEYE, SAUGER AND HYBRIDS THEREOF (see also s. NR 20.04) 12. Jordan lake, Lake Waubesa, Upper Glan and Kielda lakes, north fork Flambeau river and its tributaries upstream to the first dam or lake, Ashland county; Bony, Jackson, Middle Eau Claire and Namekagon lakes, Pike lake chain (includes Dusky Bay, Millicent, Bart, Twin Bear, Eagle, Flynn and McCarty lakes), Bayfield county; Patten lake, Florence county; Beardull, Catherine, Cedar, Echo, Fisher, Nile Howage, Island, Little Osbew, Lower Springstead, Owl, Osbew, Pine, Randall, Sandy Beach, Sherman, Spider and Upper Springstead lakes, north fork Flambeau river and its tributaries, west branch Mastral river and Turtle river upstream from Echo lake, Iron county; Kataropsis, Jesse, Ross and Sawyer lakes, Langlade county; Pesabic lake, Lincoln county; Alva, Bearskin, Buckskin, Buffalo, Chain, Crescent, Dam, Diamond, East Hershhead, Echo, Fifth, Fourth, George, Hasbreek, Hot Rapids, Katherine, Lost (T38N R5E S24), Manson, Mercer, Moon, Muskellunge, Quaida, Pelican, Pine, Sand, Second, Sevenmile, Sea, Squash, Squirrel, Stone (T38N R5E S32) and Third lakes, Oneida county; north fork and south fork Flambeau river including impoundments and tributaries upstream to the first dam or lake, Price county; south fork Flambeau river and its tributaries upstream to the first dam or lake, Flambeau river upstream from Therapsie Howage dam including impoundments and its tributaries upstream to the first dam or lake, Bosc county; north fork, south fork and Flambeau river proper including tributaries upstream to the first dam or lake, Sawyer county; Alder, Averill, Big (T42N R6E S4), Big Arber Vitae, Big Muskellunge, Birch, Boulder, Buckskin, Clear, Crab, Dead Pike, Emily, Fawn (T42N R5E S11), Flaktrap, Harris, High, Ike Walton, Island, Laura, Little Arber Vitae, Little Star, Manitowish, North Crab, North Turtle, Osbew, Presque Isle, East, Rock, Rush, South Turtle, Sherman, Spider, Squaw, Star, Stone, Van Vleet and Wild Rice lakes, Vilas county; and Bass (Patterson) and Shell lake, Washburn county	First Saturday in May to March 1	5, but only 1 may be longer than 14"	No minimum length

SECTION 12. NR 20.03(1)(c)14. is amended to read:

Kind of fish and locality	Open Season (both dates inclusive)	Daily bag limit	Minimum length (inches)
(c) WALLEYE, SAUGER AND HYBRIDS THEREOF (see also s. NR 20.04) 14. Spillerburg lake, Ashland county; Wilson lake, Iron county; Big Crooked lake (T42N R6E S12), Jenny and Sanford lakes, Vilas county; and <u>Shell lake, Washburn county</u>	First Saturday in May to March 1	5	No minimum length

SECTION 13. NR 20.03(1)(c)15. is amended to read:

Kind of fish and locality	Open Season (both dates inclusive)	Daily bag limit	Minimum length (inches)
(c) WALLEYE, SAUGER AND HYBRIDS THEREOF (see also s. NR 20.04) 15. Lakes Butte des Morts, Winneconne, Poygan, Winnebago and the following connected waters: Fox river upstream to the dam above Princeton; Wolf river upstream to the dam in the city of Shawano; Fond du Lac river within the city limits of Fond du Lac; Puckyan river, Green Lake county; Embarrass river from its mouth upstream to the dam at Pella; Little Wolf river from its mouth upstream to the dam at Manawa; Waupaca river from its mouth upstream to the dam at Weyauwega; Pine river upstream to the dam at Poysippi; Willow river upstream to the dam at Auroraville;	Continuous	5 for walleye, 0 for sauger and their hybrids with walleye	No minimum length

~~Pumpkinseed creek upstream to the cty. hwy. D bridge, Winnebago county; and Shioe river, Outagamie county- Lake Winnebago system~~

SECTION 14. NR 20.03(1)(d)6. is amended to read:

Kind of fish and locality	Open Season (both dates inclusive)	Daily bag limit	Minimum length (inches)
(d) NORTHERN PIKE (See also NR 20.04)			
6. Prairie, Chetek, Pokegama, Mud, Ten Mile and Staples lakes, Barron county; Ellison, Muskellunge, Sand Bar and Tomahawk lakes, Bayfield county; Dunham lake, Burnett county; Stevens lake, Forest county; lake Six, Iron county; Bear, John and Munger lakes, Oconto county; Peshtigo flowage, Marinette county; Balsam, Long and Loveless lakes, Polk county; <u>Pella pond, Shawano county; Whitney lake, Vilas county; Slim lake, Washburn county; Partridge lake and Wolf river (downstream from Partridge lake), Waupaca county; Poygan, Winneconne, Butte des Morts, Winnebago, and Little Butte des Morts lakes, Wolf river and Fox river downstream from state hwy. 21/116 bridge, Calumet, Fond du Lac, Wauchara and Winnebago counties</u> Lake Winnebago system notwithstanding s. NR 20.04 which applies to other species in these waters; all tributaries and connected sloughs to Lake Superior upstream to the first dam or lake; all other waters of Portage county except Dubay lake and Little Eau Pleine flowage; all other waters south of U.S. highway 10 <u>except Chippewa river, Buffalo and Pepin counties and Sheboygan marsh, Sheboygan county</u>	First Saturday in May to March 1	2	26

SECTION 15. NR 20.03(4)(g), Table 1, subdivision 37., is amended to read:

TABLE 1

County	Water name	Portion	Regulation Category	Gear Restrictions, Size Limits, Daily Bag limits and Daily Size limits for Category 5 Waters, and Open Season Exceptions for Other Categories (Open Seasons Include Both Dates)
37. Marinette	All waters not listed		1	
	Beaver creek	All	4	
	Beaver creek (north branch)	Mouth upstream to 25th road	4	
	Beaver creek (north branch)	Upstream from 25th road	2	
	Beaver creek (south branch)	All	2	
	Cedarville creek	All	2	
	Chemical creek	All	2	
	Eagle creek	All	2	
	Harvey creek	All	2	

Holmes creek	All	4	
K. C. Creek	Upstream from STH 8	2	
K. C. Creek	Mouth upstream from STH 8	4	
Lake Noquebay	All	1	Open season: first Saturday in May at 5:00 a.m. to March 1
Left Foot lake	All	5	Open season: first Saturday in May at 5:00 a.m. to March 1. Daily bag limit: 2 splake. Size limit: splake 12"
Lindquist lake	All	1	Open season: first Saturday in May at 5:00 a.m. to March 1
Little Wausaukee creek	All	2	
MacIntire creek	All	2	
Meadow brook	All	2	
Medicine brook	All	2	
Middle Inlet creek	All	4	
Middle Inlet creek (lower)	All	2	
Middle Inlet creek (upper)	All	2	
Miscauno creek	All	2	
Miscauno creek (south branch)	All	2	
Montana lake	All	1	Open season: first Saturday in May at 5:00 a.m. to March 1
Murphy creek	Mouth upstream to Nelligan lake	2	
Murphy lake	All	1	Open season: first Saturday in May at 5:00 a.m. to March 1
Otter creek	All	2	
Pemebonwon river	All	2	
Pemebonwon river (north branch)	All	2	
Pemebonwon river (south branch)	All	2	
Peshtigo river	Upstream from CTH C	5	Open season: first Saturday in May at 5:00 a.m. to Sept. 30. Daily bag limit 3 trout. Size limit: 9" Open season: October 1 through November 15. Gear restriction: only artificial lures may be used. Daily bag limit: all trout caught shall be immediately released.
Peshtigo river	Between Johnson falls and Springs rapids	5	Gear restriction: only artificial lures may be used. Daily bag limit: 2 trout. Size limit: brown trout 18", brook and rainbow trout 10"
Pike river	All	5 <u>4</u>	Gear restriction: only artificial lures may be used. Daily bag limit: 2 trout. Size limit: brown trout 18", brook and rainbow trout 10"
Pike river (little south branch)	All	2	
Pike river (north branch)	Mouth upstream to CCC Camp road	4	
Pike river (north branch)	CCC Camp road to North pond	2	
Pike river (south branch)	All	2	
Pothole lake	All	2	Open season: first Saturday in May at 5:00 a.m. to March 1
Rat river	All	2	
Sand lake	All	1	Open season: first Saturday in May at 5:00

			a.m. to March 1
Sidney creek	Mouth upstream to mouth of unnamed creek in NE 1/4 of SW 1/4, S21, T37N, R17E	2	
Smith creek	All	4	
Spikhorn creek	All	4	
Squaw creek	All	2	
Sullivan creek	All	2	
Thunder lake	All	3	Open season: first Saturday in May at 5:00 a.m. to March 1
Thunder river	All	2	
Thunder river (north fork)	All	4	
Thunder river (south fork)	All	4	
Wausaukee river	All	4	

SECTION 16. NR 20.03(4)(g), Table 1, subdivision 38., is amended to read:

TABLE 1

County	Water name	Portion	Regulation Category	Gear Restrictions, Size Limits, Daily Bag limits and Daily Size limits for Category 5 Waters, and Open Season Exceptions for Other Categories (Open Seasons Include Both Dates)
38. Marquette	All waters not listed		2	
	Chaffee creek	CTH B downstream to Mecan river	3	
	Klawitter creek	All	4	
	Mecan river	Upstream from 14th ave.	3	
	Mecan river	14th ave. downstream to STH 22 <u>Germania barrier</u>	5	Gear restriction: only artificial lures may be used Daily bag and size limit: 3 trout, only 1 of which is over 15". Size limit: all trout 12"
	Neenah creek (upper)	Upstream from STH 82	5	Daily bag limit: 1 trout. Size limit: 18"
	Neenah creek (lower)	Downstream from STH 82	3	
	Westfield creek	Downstream from Lawrence lake	3	
	Wood lake	All	2	Open season: first Saturday in May at 5:00 a.m. to March 1

SECTION 17. NR 20.03(4)(g), Table 1, subdivision 56., is amended to read:

TABLE 1

County	Water name	Portion	Regulation Category	Gear Restrictions, Size Limits, Daily Bag limits and Daily Size limits for Category 5 Waters, and Open Season Exceptions for Other Categories (Open Seasons Include Both Dates)
56. Sawyer	All streams not listed		1	
	All lakes and spring ponds not listed		3	
	Alder creek	All	2	
	Ashagon lake	All	3	Open season: first Saturday in May at 5:00 a.m. to March 1
	Badger creek	All	2	
	Bean creek	All	2	
	Bear creek	All	2	
	Beaver creek	All	2	

Benson creek	All	2	
Blueberry creek	All	2	
Brunet river	All	3	
Camp Smith lake	All	3	Open season: first Saturday in May at 5:00 a.m. to March 1
Casey creek	All	2	
Chippanazie creek	All	2	
Conner creek	All	2	
Crooked rapids	All	2	
Dead creek	All	2	
Deer creek (Meteor township)	All	3	
Deer creek (Winter township)	All	2	
Devils creek	All	2	
Eddy creek	All	2	
Forty-one creek	All	2	
Grindstone creek	All	2	
Hackett creek	All	2	
Hatchery creek	All	2	
Hauer creek	All	2	
Hauer springs	All	5	Daily bag and size limit: 2 trout, only 1 of which may be over 15"
Hay creek	All	2	
Hemlock Spur creek	All	2	
Knapp Stout creek	All	2	
Knuteson creek	All	2	
Little Connors creek	All	2	
Little Weigor creek	All	3	
Log creek	All	2	
Long creek	All	2	
Maple creek	All	2	
Mason creek	All	2	
McDermott brook	All	3	
Mosquito branch	All	2	
Moss creek	All	2	
Namekagon river	STH 63 upstream to Pacwawong dam	5	Gear restriction: only artificial lures may be used. Daily bag and size limits: 3 trout under 10", or 2 trout under 10" and 1 over 15"
Namekagon river	Airport road upstream to Phipps dam	3 5	<u>Gear restriction: only artificial lures may be used. Daily bag limit: all trout caught shall be immediately released.</u>
Namekagon river	Downstream from Lake Hayward	5	Open season: first Saturday in May at 5:00 a.m. to Sept. 30. Daily bag limit: 3 trout. Size limit: 9". Open season: Oct. 1 to May 1 the following restrictions apply. Gear restriction: only artificial lures may be used. Daily bag limit: all trout caught shall be immediately released
Osgood lake	All	5	Daily bag and size limit: 2 trout, only 1 of which may be over 15"
Perch lake	All	3	Open season: first Saturday in May at 5:00 a.m. to

				March 1
Pine creek	All		2	
Pipestone creek	All		2	
Porcupine lake	All		5	Daily bag and size limit: 2 trout, only 1 of which may be over 15"
Price creek	All		3	
Rainbow creek	All		2	
Silverthorn lake	All		5	Daily bag limit: 1 trout Open season: first Saturday in May at 5:00 a.m. to March 1
Spooky Bay creek	All		2	
<u>Stress springs</u>	<u>All</u>		<u>5</u>	<u>Gear restriction: only artificial lures may be used. Daily bag limit: all trout caught shall be immediately released.</u>
Sucker creek	All		2	
Swan creek	All		2	
Swift creek	All		2	
Thirty-three creek	All		2	
Totagatic river	All		3	
Tupper creek (north branch)	All		2	
Venison creek	All		3	
South Branch of Marshall creek	All		5	Daily bag limit: 3 trout. Size limit: brown and rainbow trout shall be under 14" or over 18", brook trout shall be under 10" or over 14"
Yarnell creek	All		2	

SECTION 18. NR 20.03(4)(g), Table 1, subdivision 62., is amended to read:

TABLE 1

County	Water name	Portion	Regulation Category	Gear Restrictions, Size Limits, Daily Bag limits and Daily Size limits for Category 5 Waters, and Open Season Exceptions for Other Categories (Open Seasons Include Both Dates)
62. Vernon	All waters not listed		3	
	Bear creek (south)	All	5	Daily bag limit: 3 trout. Size limit: brown trout shall be under 14" or over 18". Brook trout shall be under 10" or over 14"
	Bishop branch	All	4	
	Coon creek	CTH KK upstream to CTH P	4	
	Elk creek	All	5	Daily bag limit: 3 trout. Size limit: brown trout shall be under 14" or over 18". Brook trout shall be under 10" or over 14"
	Esofea pond	All	2	
	Jersey Valley lake	All	4	
	Kickapoo river (west fork)	Hwy. 82 upstream to CTH S and Bloomingdale road (S6, T13N, R3W)	5	Gear restriction: only artificial lures may be used Daily bag limit: all trout caught shall be immediately released
	Melancthon	All	5	Daily bag limit: 3 trout. Size limit: brown trout shall be under 14" or over 18". Brook trout shall be under 10" or over 14"
	Runge Hollow lake	All	4	
	<u>Seas branch</u>	<u>Upstream from impoundment in T13N R4W S14</u>	<u>5</u>	<u>Gear restriction: only artificial lures and barbless hooks may be used Daily bag limit: all trout caught shall be immediately released</u>

Sidie Hollow lake	All	4	
Timber Coulee	CTH P upstream to Olstad road	5	Gear restriction: only artificial lures may be used Daily bag limit: 1 trout. Size limit: 14"

SECTION 19. NR 20.03(4)(g), Table 1, subdivision 69., is amended to read:

TABLE 1

County	Water name	Portion	Regulation Category	Gear Restrictions, Size Limits, Daily Bag limits and Daily Size limits for Category 5 Waters, and Open Season Exceptions for Other Categories (Open Seasons Include Both Dates)
69. Waushara	All waters not listed		2	
	Johns lake	All	2	Open season: first Saturday in May at 5:00 a.m. to March 1
	Mecan river and springs	All	3	
	Pine river (Lower)	Downstream from Wild Rose millpond	3	
	<u>Pine river (Upper)</u>	<u>Upstream from Wild Rose millpond</u>	<u>5</u>	<u>Gear restriction: only artificial lures with barbless hooks may be used. Daily bag limit: all trout caught shall be immediately released.</u>
	<u>Soules creek</u>	<u>Upstream from Wautoma millpond</u>	<u>5</u>	<u>Gear restriction: only artificial lures with barbless hooks may be used. Daily bag limit: all trout caught shall be immediately released.</u>
	Spring lake	All	2	Open season: first Saturday in May at 5:00 a.m. to March 1
	White River pond (west branch)	All	2	Open season: first Saturday in May at 5:00 a.m. to March 1
	White river (main branch)	Upstream from Lower White River millpond	5	Gear restriction: only artificial lures may be used Daily bag and size limit: 3 trout per day, only 1 brown trout over 15". Size limit: brook and rainbow trout 9", brown trout 12"
	White river (west branch)	All	2	Open season: first Saturday in May at 5:00 a.m. to Sept. 30
	Wild Rose Mill pond	All	2	Open season: first Saturday in May at 5:00 a.m. to March 1
	Willow creek	Downstream from Blackhawk road	3	

SECTION 20. NR 20.03(6)(d)1. (table 1) zb. is amended to read:

NR 20.03(6)(d) Minimum size limits. 1. The minimum size limits for muskellunge is 40 inches for all waters listed in Table 1.

TABLE 1
Waters with a 40-inch Minimum Size Limit on Muskellunge

County	Waters
zb. St. Croix	Cedar lake All waters

SECTION 21. NR 20.03(8)(cm) is created to read:

NR 20.03(8)(cm) *Presence of nonindigenous species.* Pursuant to par. (d), the department may close the season for all bait harvest in all or part of any water that has been documented to contain detrimental species that are not indigenous to the waters of the state in order to prevent the further transport of nonindigenous species to other waters of the state. The department shall open the season pursuant to par. (d) 2., if the department determines that the nonindigenous species is no longer present or the nonindigenous species no longer poses a threat to other waters of the state.

SECTION 22. NR 21.04(2)(b) is repealed.

SECTION 23. NR 21.04(2)(c) is amended to read:

Kind of fish and locality	Open Season (both dates inclusive)	Daily bag limit	Minimum length (inches)
(2) WALLEYE AND SAUGER (c) Mississippi river except pool 3	Continuous	6 in aggregate	No size limit for sauger, 15 for walleye

SECTION 24. NR 23.05(5)(d)1. is amended to read:

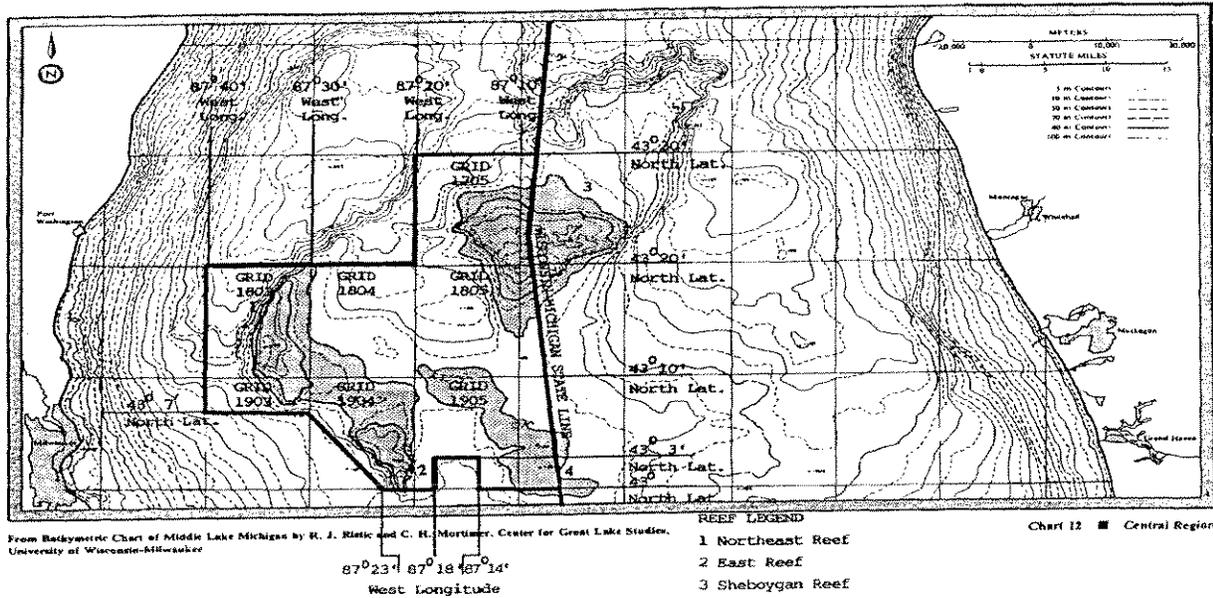
Kind of fish and locality	Open season (both dates inclusive)	Possession and daily bag limit	Minimum length (in.)
(d) LARGEMOUTH BASS AND SMALLMOUTH BASS 1. All Boundary waters except as otherwise provided in this paragraph	First Saturday in May to November 30	0, beginning the first Saturday in May to the Friday nearest June 20 <u>preceding the third Saturday in June</u> 5 in total for the <u>third Saturday following Friday nearest in June 20</u> to November 30	-- <u>12 14</u>

SECTION 25. NR 23.05(5)(d)2. is repealed.

SECTION 26. NR 25.10(2)(i) is created to read:

NR 25.10(2)(i) No commercial fishing gear of any kind may be used, set, placed or operated in all waters bounded by a line beginning at a point where 43 degrees 7 minutes north latitude and 87 degrees 40 minutes west longitude intersect, northerly to 43 degrees 20 minutes north latitude, easterly to 87 degrees 20 minutes west longitude, northerly to 43 degrees 30 minutes north latitude, easterly to the Wisconsin-Michigan state line, southerly along the Wisconsin-Michigan state line to 43 degrees north latitude, westerly to 87 degrees 14 minutes west longitude, northerly to 43 degrees 3 minutes north latitude, westerly to 87 degrees 18 minutes, southerly to 43 degrees north latitude, westerly to 87 degrees 23 minutes west longitude, northwesterly to 43 degrees 7 minutes north latitude, and westerly to 87 degrees 40 minutes west longitude.

Note: This closed area encompasses the elevated areas of the lake bed commonly known as the Sheboygan reef, the Northeast reef, the Milwaukee reef, and the East reef and can be further described as the northern third of grid 1903, the northeastern two thirds of grid 1904, all of grid 1905 except a rectangular area along its southern border, all of grids, 1705, 1803, 1804 and 1805, and those portions of grids 1706, 1806 and 1906 in Wisconsin waters as shown on the following map:



SECTION 27. NR 26.08(13)(a) is renumbered to NR 26.08(13)(b)

SECTION 28. NR 26.08(13)(a) is created to read:

NR 26.08(13)(a) *Wingra creek*. That portion of Wingra creek from the Wingra lake spillway downstream for a distance of 50 feet.

SECTION 29. NR 26.09(3)(am) is created to read:

NR 26.09(3)(am) *Spring creek*. That portion of Spring creek from 100 feet north of county highway M to 100 feet south of county highway M.

SECTION 30. NR 26.09(3)(i) is created to read:

NR 26.09(3)(i) *Rice creek*. That portion of Rice creek from 100 feet north of state highway 8 to 100 feet south of state highway 8.

SECTION 31. NR 26.09(34) is created to read:

NR 26.09(34) LANGLADE COUNTY. *Wolf river*. That portion of the Wolf river from the Post Lake dam downstream for 75 feet to the bottom of the first rapids.

SECTION 32. NR 26.23(3) is repealed.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on May 27, 1998.

The rules shall take effect on April 1, 1999 as provided in s. 227.22(2)(b), Stats.

Dated at Madison, Wisconsin, _____

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By _____
George E. Meyer, Secretary

(SEAL)