

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

The statement of scope for this rule, SS 153-13, was approved by the Governor on November 21, 2013, published in Register No. 696 on December 14, 2013, and approved by the Natural Resources Board on January 22, 2014. This permanent rule was approved by the Governor on February 27, 2015.

Wisconsin Natural Resources Board proposes an order to repeal NR 20.20(1)(a), (2)(a), (3)(a), (4)(a)1., (6)(a), (7)(a), (9)(a), (10)(a), (11)(a), (12)(a), (13)(a)1., (14)(a), (16)(a)1., (17)(a), (18)(a), (21)(a), (22)(a), (24)(a), (25)(a), (28)(a), (29)(a), (30)(a)1., (32)(a), (33)(a), (34)(a)1., (38)(a), (43)(a), (45)(a)1., (47)(a), (49)(a), (50)(a), (51)(a), (52)(a)1., (53)(a), (54)(a)1., (55)(a), (56)(a), (58)(a), (60)(a), (61)(a), (65)(a)1., (66)(a), (68)(a)1., (69)(a), (71)(a), and (72)(a); to amend NR 20.03(40), 20.06(1), 20.15(4), 20.20(15)(a)1., (19)(a)1., (27)(a)1., (35)(a)1., (37)(a)1., (39)(a)1., (44)(a)1., (57)(a)1., (59)(a)1., (67)(a)1., (73)(a) and 23.08; and to create NR 20.15(4) relating to fishing regulations on inland and boundary waters of Wisconsin.

FH-34-13

### Analysis Prepared by Department of Natural Resources

- 1. Statutes interpreted.** Sections 29.014(1) and 29.041, Stats., have been interpreted as giving the department the authority to make changes to fishing regulations on inland, outlying, and boundary waters of Wisconsin.
- 2. Statutory authority.** Sections 29.014(1) and 29.041, Stats.
- 3. Explanation of agency authority to promulgate the proposed rules under the statutory authority.** Section 29.014(1), Stats., directs the department to establish and maintain conditions governing the taking of fish that will conserve the fish supply and ensure the citizens of this state continued opportunities for good fishing.

Section 29.041, Stats., provides that the department may regulate fishing on and in all interstate boundary waters and outlying waters.

**4. Related statutes or rules.** N/A

**5. Plain language analysis of the proposed rule.**

The proposed rule would make modifications to chs. NR 20 and 23 pertaining to trolling on inland and boundary waters of Wisconsin.

This rule would allow trolling on all inland waters in Wisconsin, which would reduce confusion between trolling and position fishing. Trolling means fishing by trailing any lure, bait, or similar device that may be used to attract or catch fish from a boat propelled by a means other than drifting or rowing. Drifting or “row trolling” is allowed on all waters statewide. Position fishing means fishing from a boat in a manner where the fishing line extends vertically into the water while the boat is maneuvered by the use of a motor. An angler fishing with a sucker or other live bait trailing behind the boat while the motor is running is considered to be trolling, which is currently prohibited on many waters. Many anglers would like to have the option of trailing a bait or lure behind the boat without having to worry about whether they are considered to be trolling. Allowing trolling statewide would:

- 1) Simplify regulations by eliminating confusion about where trolling is or is not allowed;
  - 2) Allow anglers to trail at least 2 suckers, minnows or other baits or lures behind a moving motor boat, whether or not the occupants are casting other lures;
  - 3) Eliminate the need for disabled anglers to apply for trolling permits, unless they want to troll with more than one hook, bait, or lure in “1-line” trolling waters; and
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4) Provide additional fishing opportunities for anglers who may have difficulty fishing by other methods.

The rule allows fishing by the method of trolling on all inland waters with one hook, bait, or lure and – depending on location – with up to three hooks, baits, or lures. In waters where trolling is allowed with only one hook, bait, or lure per person, the following additional conditions apply: 1) no more than two fishing lines may be used from a boat to fish by the method of trolling; and 2) any line used to fish by the method of trolling is limited to one hook, bait or lure per line. As directed by the Natural Resources Board, the rule has a 3-year sunset date and will expire on May 4, 2018, immediately prior to the general fishing season opening day.

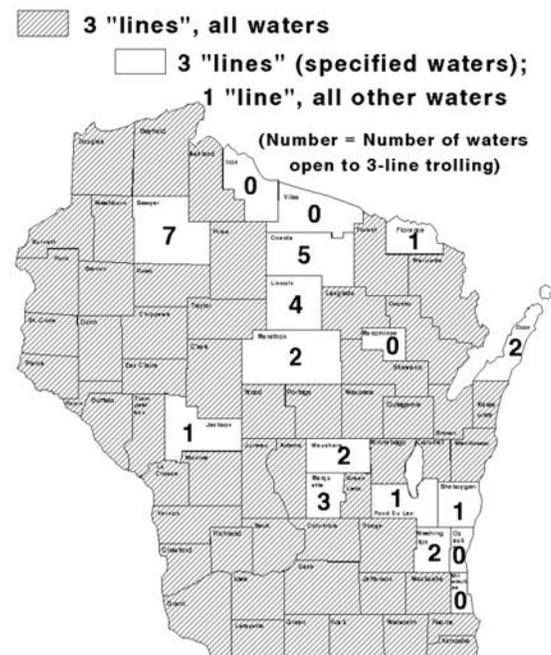
SECTION 1 of this rule adds pedaling and paddling to the list of propulsion methods which, if utilized while trailing a lure or bait, would not constitute trolling.

SECTION 2 (amending s. NR 20.06(1)) provides for trolling with one hook, bait, or lure per person statewide, except on specifically identified waters (SECTION 4) where trolling would be allowed with up to three hooks, baits, or lures per person. Where trolling is allowed with only one hook, bait, or lure per person, no more than two fishing lines – each limited to one hook, bait, or lure per line – may be used from a single boat to fish by the method of trolling. Trolling will be allowed with only one hook, bait, or lure and up to two hooks, baits, or lures per boat in Fond du Lac, Iron, Menominee, Milwaukee, Ozaukee, Vilas, and Waushara counties. However, anglers may use up to three hooks, baits, or lures when trolling Lake Winnebago system waters in Fond du Lac and Waushara counties.

SECTION 4 (creating s. NR 20.15(4)), identifies counties where trolling would be allowed with up to three hooks, baits, or lures per person on all waters. There is no limit to the number of trolling lines on a single boat, except no individual can fish with more than three hooks, baits or lures. These counties include: Adams, Ashland, Barron, Bayfield, Brown, Buffalo, Burnett, Calumet, Chippewa, Clark, Columbia, Crawford, Dane, Dodge, Douglas, Dunn, Eau Claire, Forest, Grant, Green, Green Lake, Iowa, Jefferson, Juneau, Kenosha, Kewaunee, La Crosse, Lafayette, Langlade, Manitowoc, Marinette, Monroe, Oconto, Outagamie, Pepin, Pierce, Polk, Portage, Price, Racine, Richland, Rock, Rusk, Sauk, Shawano, St. Croix, Taylor, Trempealeau, Vernon, Walworth, Washburn, Waukesha, Waupaca, Winnebago, and Wood.

SECTIONS 7, 9, 11, 13, 14, 16, 18, 20, 22, and 24 (amendments throughout NR 20.20 and NR 23) identify specific waters where trolling is allowed with three hooks, baits, or lures per person. All other waters in those counties are limited to trolling with one hook, bait, or lure per person, with a limit of up to two hooks, baits, or lures from a boat that may be used for trolling. These waters and counties include:

- Clark and Kangaroo Lakes, Door County;
- Halsey Lake, Florence County;
- Arbutus Lake, Jackson County;
- Spirit River flowage, Wisconsin river downstream from CTH A including sloughs, bayous and flowages upstream to the first dam or highway bridge, except Lake Mohawksin, Lincoln County;
- Big Eau Pleine reservoir upstream to the first state hwy. 153 bridge, Wisconsin river including sloughs, bayous and flowages upstream to the first dam or highway bridge (the eastern boundary of the Wisconsin River and Peplin and Johnson Creeks and the Little Eau Claire River, at Lake DuBay, is the south-bound lane of Interstate 39), Marathon County;
- Buffalo lake, Mason lake, Fox river downstream from Buffalo lake, and Lake Winnebago system



- waters, Marquette County;
  - Columbus lake, Rainbow flowage, Sugar Camp lake, Thunder lake and Willow flowage, Oneida County;
  - Chetac lake, Grindstone lake, Lac Courte Oreilles lake, Nelson lake, Round lake, Whitefish lake, and Windigo lake, Sawyer County;
  - Sheboygan marsh, Sheboygan County; and
  - Big Cedar and Pike lakes, Washington County.
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All remaining sections repeal existing rule language for counties that will now be governed by SECTION 4 or are sections inserted to reflect the sunset of the rule changes on May 4, 2018. In particular, SECTION 5 amends the newly created SECTION 4 after the rule sunsets. The language will not revert back to sections within the NR 20.20 table, but rather be included in the amended NR 20.15(4).

The number of hooks, baits, or lures allowed for trolling on the inland tributaries to Lake Michigan and Green Bay will match the number allowed in the respective counties.

Trolling with up to 3 hooks, baits, or lures per person will be allowed on all Lake Winnebago system waters.

There is no change to trolling rules on outlying waters or on WI-MN, WI-IA or WI-MI boundary waters (except for boundary waters of Vilas County), where trolling is already allowed with up to three hooks, baits, or lures. Trolling with one hook, bait, or lure per person and up to two hooks, baits, or lures per boat will now be allowed on WI-MI boundary waters of Vilas County, which currently have no trolling allowed.

**6. Summary of and comparison with existing or proposed federal statutes and regulations.** Authority to promulgate fishing regulations is granted to states. None of the proposed changes violate or conflict with federal regulations.

**7. Comparison with rules in adjacent states.** Statewide motor trolling has been allowed statewide for decades in Michigan (3 lines) and Minnesota (1 line). Trolling is allowed in Illinois provided the angler has not more than three poles and lines with not more than two hooks or lures on each. Iowa anglers may not use more than two lines or more than two hooks on each line when still fishing or trolling; if trolling and bait casting, one cannot use more than two trolling spoons or artificial baits on one line. A third line may be used when possessing a valid third line fishing permit.

**8. Summary of factual data and analytical methodologies.** One of the major reasons for this proposal relates back to the continued confusion that exists between what constitutes “trolling” versus “position fishing”. This has led to confusion among anglers, and several resolutions from citizens have attempted to address this situation. From the perspective of muskellunge anglers, the practice of drifting with live suckers (often while also casting an artificial lure) has long been a popular technique. This practice, which includes occasional repositioning of the boat, usually with an electric motor, is specifically prohibited, yet many anglers believe this method is consistent with the definition of “position fishing.” Angling success (catch rates) and harvest of muskellunge, walleye, or northern pike do not differ between casting and trolling.

Allowing trolling with at least one “line” per angler statewide would: 1) eliminate confusion about where trolling is legal; 2) allow anglers to trail a sucker or other minnow while under power anywhere in the state; 3) eliminate the need for disabled anglers to apply for trolling permits in most waters; and 4) provide additional fishing opportunities for anglers who may have more difficulty fishing by other methods. There are two primary concerns related to motor trolling: first, that trolling will result in more conflicts among anglers on small lakes, and second, that trolling negatively impacts the size-structure of fish populations (mainly muskellunge). However, the department has had no reports of user conflicts from the considerable number of waters already open to motor trolling, even though most are less than 400 acres in size.

In 2012, attendees of the statewide Spring Fish and Wildlife Hearings voted in favor of a Conservation Congress advisory question to allow motor trolling statewide, with 1,928 people in favor and 1,576 people

opposed. In a 2010-11 statewide mail survey, 64% of musky anglers reported doing some amount of trolling for muskellunge in Wisconsin during 2010, and 91% indicated they would do some amount of trolling if it were legalized statewide.

A 2013 rule (FH-18-12) proposed by the department originally included a trolling proposal that would have allowed trolling on all inland waters statewide with up to three hooks, baits, or lures per angler (three is the maximum number of hooks, baits, or lures that a person may use while hook and line fishing). After public hearings in each county and discussions with Wisconsin Conservation Congress delegates, the rule was modified to allow trolling on all inland waters statewide with one hook, bait, or lure per angler, and allowing trolling with up to three hooks, baits, or lures in most counties of the State and some individual waters. However, after submitting the rule to the Governor's Office of Regulatory Compliance, it requested that the department remove all trolling elements from the rule and obtain additional public input on a trolling proposal.

**9. Analysis and supporting documents used to determine effect on small business or in preparation of an economic impact analysis.** It is not expected that there will be any economic impact directly related to these rule changes. The proposed rule does not apply directly to businesses, but to sport anglers. The department conducted an economic impact analysis and determined that no individuals, businesses, local governments, or other entities are expected to be affected economically by this rule.

**10. Effects on small business.** The rule is not expected to have an effect on small businesses. The proposed rule does not impose any compliance or reporting requirements on small businesses nor are any design or operational standards contained in the rule.

**11. Rules proposed by the Department of Veterans Affairs.** No information

**12. Agency contact person.**

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**13. Place where comments are to be submitted and deadline for submission.** Comments on this proposed rule were submitted to the agency contact person listed above. The deadline for written comments was April 14, 2014.

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SECTION 1. NR 20.03(40) is amended to read:

NR 20.03(40) "Troll" or "trolling" means fishing by trailing any lure, bait or similar device that may be used to attract or catch fish from a boat propelled by a means other than drifting, pedaling, paddling, or rowing. Casting and immediate retrieval of a bait, lure or similar device while the motor is running or position fishing is not trolling.

SECTION 2. NR 20.06(1) is amended to read:

NR 20.06(1) Fish in inland waters by the method of trolling with more than 1 line per person, with more than 1 hook, bait, or lure per line, and with more than a total of 2 lines used for trolling per boat, except where specifically authorized in ~~s.~~ ss. NR 20.15(4) or NR 20.20 or as provided in s. 29.193 (1m), Wis. Stats.

SECTION 3. NR 20.06(1), as affected by Section 2, is amended to read:

NR 20.06(1) Fish in inland waters by the method of trolling ~~with more than 1 line per person, with more than 1 hook, bait, or lure per line, and with more than a total of 2 lines used for trolling per boat,~~ except where specifically authorized in ss. NR 20.15(4) or 20.20 or as provided in s. 29.193 (1m), Wis. Stats.

SECTION 4. NR 20.15(4) is created to read:

NR 20.15(4) Fish by the method of trolling with up to 3 hooks, baits, or lures on all inland waters located in the following counties: Adams, Ashland, Barron, Bayfield, Brown, Buffalo, Burnett, Calumet, Chippewa, Clark, Columbia, Crawford, Dane, Dodge, Douglas, Dunn, Eau Claire, Forest, Grant, Green, Green Lake, Iowa, Jefferson, Juneau, Kenosha, Kewaunee, La Crosse, Lafayette, Langlade, Manitowoc, Marinette, Monroe, Oconto, Outagamie, Pepin, Pierce, Polk, Portage, Price, Racine, Richland, Rock, Rusk, Sauk, Shawano, St. Croix, Taylor, Trempealeau, Vernon, Walworth, Washburn, Waukesha, Waupaca, Winnebago, and Wood.

SECTION 5. NR 20.15(4), as affected by Section 4, is amended to read:

NR 20.15(4) Fish by the method of trolling with up to 3 hooks, baits, or lures on all inland waters located in the following counties: ~~Adams, Ashland, Barron, Bayfield, Brown, Buffalo, Burnett, Calumet, Chippewa, Clark, Columbia, Crawford, Dane, Dodge, Douglas, Dunn, Eau Claire, Forest, Grant, Green, Green Lake, Iowa, Jefferson, Juneau, Kenosha, Kewaunee, La Crosse, Lafayette, Langlade, Manitowoc, Marinette, Monroe, Oconto, Outagamie, Pepin, Pierce, Polk, Portage, Price, Racine, Richland, Rock, Rusk, Sauk, Shawano, St. Croix, Taylor, Trempealeau, Vernon, Walworth, Washburn, Waukesha, Waupaca, Winnebago, and Wood;~~ and in the following waters: Mason lake, Wisconsin river including sloughs, bayous and flowages upstream to the first dam or highway bridge in Adams county; Chippewa river in Buffalo county; Chippewa river including sloughs, bayous and flowages up to the first road bridge or railroad bridge on all tributary streams, Chain lake, Long lake (T32N R8W) including Herde lake in Chippewa county; Arbutus lake in Clark county; Lower Wisconsin river in Columbia county; Lower Wisconsin river in Crawford county; Beaver Dam lake, Fox lake, Sinnissippi lake in Dodge county; Chippewa river, Menomin lake, Tainter lake in Dunn county; Chippewa river including sloughs, bayous, and flowages up to the first road bridge or railroad bridge on all tributary streams, Altoona lake, Eau Claire lake in Eau Claire county; Butternut lake, Franklin lake, Lucerne lake, Metonga lake, Pickerel lake, Pine lake, Wabikon lake in Forest county; Big Green lake, Fox river, Maria lake, Puckaway lake in Green Lake county; Koshkonong lake, Rock lake in Jefferson county; Kilburn flowage, Wisconsin river and its sloughs, bayous and flowages upstream to the first dam or highway bridge, including only that portion of Castle Rock flowage south of the county highway G bridge in Juneau county; Elizabeth lake in Kenosha county; Neshonoc lake in La Crosse county; Lower Post lake, Rolling Stone lake, Upper Post lake in Langlade county; High Falls flowage, Noquebay lake in Marinette county; Christie lake, Machickanee flowage (Stiles pond), White Potato lake in Oconto county; Fox river in Outagamie county; Chippewa river in Pepin county; Little Eau Pleine flowage upstream

to the first county hwy. O bridge, Wisconsin river including sloughs, bayous and flowages upstream to the first dam or highway bridge except that the eastern boundary of the Wisconsin River and the Little Eau Claire River at Lake DuBay will be defined by the south-bound lane of Interstate 39 in Portage county; Koshkonong lake in Rock county; Redstone lake, Lower Wisconsin river in Sauk county; Shawano lake in Shawano county; Cedar lake in St. Croix county; Partridge lake, White lake in Waupaca county; Fox river downstream from Neenah-Menasha dam including Little Butte des Morts lake, Rush lake in Winnebago county; and Wisconsin river including all sloughs, bayous and flowages upstream to the first dam or highway bridge in Wood county.

SECTION 6. NR 20.20(1)(a), (2)(a), (3)(a), (4)(a)1., (6)(a), (7)(a), (9)(a), (10)(a), (11)(a), (12)(a), (13)(a)1., and (14)(a) are repealed.

SECTION 7. NR 20.20(15)(a)1. is amended to read:

NR 20.20(15) DOOR (for species or waters not listed, including Green Bay, Lake Michigan and their tributaries, see sub. (73))

(a) All species	1. Clarks lake, Kangaroo lake	a. Motortrolling is permitted <u>with up to 3 hooks, baits, or lures</u>	As specified in this subsection or sub. (73)	As specified in this subsection or sub. (73)	As specified in this subsection or sub. (73)
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SECTION 8. NR 20.20(16)(a)1., (17)(a) and (18)(a) are repealed.

SECTION 9. NR 20.20(19)(a)1. is amended to read:

NR 20.20(19) FLORENCE (for species or waters not listed, see sub. (73))

(a) All species	1. Halsey lake	a. Motortrolling is permitted <u>with up to 3 hooks, baits, or lures</u>	As specified in this subsection or sub. (73)	As specified in this subsection or sub. (73)	As specified in this subsection or sub. (73)
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SECTION 10. NR 20.20(21)(a), (22)(a), (24)(a), and (25)(a) are repealed.

SECTION 11. NR 20.20(27)(a)1. is amended to read:

NR 20.20(27) JACKSON (for species and waters not listed, see sub. (73))

(a) All species	1. Arbutus lake	a. Motortrolling is permitted <u>with up to 3 hooks, baits, or lures</u>	As specified in this subsection or sub. (73)	As specified in this subsection or sub. (73)	As specified in this subsection or sub. (73)
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SECTION 12. NR 20.20(28)(a), (29)(a) and (30)(a)1., (32)(a), (33)(a), and (34)(a)1. are repealed.

SECTION 13. NR 20.20(35)(a)1. is amended to read:

NR 20.20(35) LINCOLN (for species or waters not listed, see sub. (73))

(a) All species	1. Spirit River flowage, Wisconsin river downstream from CTH A including sloughs, bayous and flowages upstream to the first dam or highway bridge, except Lake Mohawksin	a. Motortrolling is permitted <u>with up to 3 hooks, baits, or lures</u>	As specified in this subsection or sub. (73)	As specified in this subsection or sub. (73)	As specified in this subsection or sub. (73)
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SECTION 14. NR 20.20(37)(a)1. is amended to read:

NR 20.20(37) MARATHON (for species and waters not listed, see sub. (73))

(a) All species	1. Big Eau Pleine reservoir upstream to the first state hwy. 153 bridge, Wisconsin river including sloughs, bayous and flowages upstream to the first dam or highway bridge, except the eastern boundary of the Wisconsin River and Peplin and Johnson Creeks and the Little Eau Claire River, at Lake DuBay, is the south-bound lane of Interstate 39	a. Motortrolling is permitted <u>with up to 3 hooks, baits, or lures</u>	As specified in this subsection or sub. (73)	As specified in this subsection or sub. (73)	As specified in this subsection or sub. (73)
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SECTION 15. NR 20.20(38)(a) is repealed.

SECTION 16. NR 20.20(39)(a)1. is amended to read:

NR 20.20(39) MARQUETTE (for species or waters not listed, see sub. (73))

(a) All species	1. Buffalo lake, Mason lake, Fox river downstream from Buffalo lake, <u>Lake Winnebago systemwaters</u>	a. Motortrolling is permitted <u>with up to 3 hooks, baits, or lures</u>	As specified in this subsection or sub. (73)	As specified in this subsection or sub. (73)	As specified in this subsection or sub. (73)
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SECTION 17. NR 20.20(43)(a) is repealed.

SECTION 18. NR 20.20(44)(a)1. is amended to read:

NR 20.20(44) ONEIDA (for species or waters not listed, see sub. (73))

(a) All species	1. Columbus lake, Rainbow flowage, Sugar Camp lake, Thunder lake and Willow flowage	a. Motortrolling is permitted <u>with up to 3 hooks, baits, or lures</u>	As specified in this subsection or sub. (73)	As specified in this subsection or sub. (73)	As specified in this subsection or sub. (73)
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SECTION 19. NR 20.20(45)(a)1., (47)(a), (49)(a), (50)(a), (51)(a), (52)(a)1., (53)(a), (54)(a)1., (55)(a), and (56)(a) are repealed.

SECTION 20. NR 20.20(57)(a)1. is amended to read:

NR 20.20(57) SAWYER (for species or waters not listed, see sub. (73))

(a) All species	1. Chetac lake, Grindstone lake, Lac Courte Oreilles lake, Nelson lake, Round lake, Whitefish lake, Windigo lake	a. Motortrolling is permitted <u>with up to 3 hooks, baits, or lures</u>	As specified in this subsection or sub. (73)	As specified in this subsection or sub. (73)	As specified in this subsection or sub. (73)
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SECTION 21. NR 20.20(58)(a) is repealed.

SECTION 22. NR 20.20(59)(a)1. is amended to read:

NR 20.20(59) SHEBOYGAN (for species or waters not listed, including Lake Michigan and its tributaries, see sub. (73))

(a) All species	1. Sheboygan marsh	a. Motortrolling is allowed <u>with up to 3 hooks, baits, or lures</u>	As specified in this subsection or sub. (73)	As specified in this subsection or sub. (73)	As specified in this subsection or sub. (73)
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SECTION 23. NR 20.20(60)(a), (61)(a), (65)(a)1., and (66)(a) are repealed.

SECTION 24. NR 20.20(67)(a)1. is amended to read:

NR 20.20(67) WASHINGTON (for species or waters not listed, see sub. (73))

(a) All species	1. Big Cedar lake, Pike lake	a. Motortrolling is permitted <u>with up to 3 hooks, baits, or lures</u> .	As specified in this subsection or sub. (73)	As specified in this subsection or sub. (73)	As specified in this subsection or sub. (73)
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SECTION 25. NR 20.20(68)(a)1., (69)(a), (71)(a), and (72)(a) are repealed.

SECTION 26. NR 20.20(73)(a) is amended to read:

NR 20.20(73) SPECIES OR WATERS NOT LISTED IN SUBS. (1) TO (72)

(a) All species	1. Green Bay, Lake Michigan, Lake Superior, <u>Lake Winnebago system waters, all Lake Michigan and Green Bay tributaries in Brown, Kenosha, Kewaunee, Manitowoc, Marinette, Oconto, and Racine counties</u>	a. Motortrolling is permitted <u>with up to 3 hooks, baits, or lures</u>	As specified in this subsection	As specified in this subsection	As specified in this subsection
	2. Peshtigo river upstream to the first railroad bridge, Marinette county; Oconto river and tributaries except the Little river downstream from highway 141, Oconto county	a. From September 15 to the first Saturday in May only hooks with a one-half inch gap or less may be used while hook and line fishing.	As specified in this subsection	As specified in this subsection	As specified in this subsection

3. Lake Michigan tributaries; Peshtigo river upstream from the first railroad bridge to the first dam, Marinette county; Little river downstream from highway 141, Oconto county; Oconto river upstream from the upstream side of the highway 141 bridge to the first dam, Oconto county; and all other tributary streams, rivers and ditches - excluding the Menominee river- to Green Bay upstream to the first dam or lake	a. In addition to the restrictions under pars. (b) to (o), all of the following restrictions apply: <del>Motor trolling is permitted in Lake Michigan tributaries of Racine county.</del> From September 15 to the first Saturday in May only hooks with a one-half inch gap or less may be used and hook and line fishing is prohibited from one-half hour after sunset to one-half hour before sunrise. From September 15 to December 31, fishing by any method is prohibited from one-half hour after sunset to one-half hour before sunrise.	As specified in this subsection	As specified in this subsection	As specified in this subsection
4. Lake Winnebago system waters	a. <del>Motor trolling is permitted except on the Wolf river from its mouth at Lake Poygan upstream to the dam in the city of Shawano, and all its tributaries upstream to the first dam, including Cincoe and Partridge lakes in Winnebago, Waupaca, Outagamie and Shawano counties.</del>	<del>As specified in this subsection</del>	<del>As specified in this subsection</del>	<del>As specified in this subsection</del>

SECTION 27. NR 20.20(73)(a), as affected by Section 26, is amended to read:

NR 20.20(73) SPECIES OR WATERS NOT LISTED IN SUBS. (1) TO (72)

(a) All species	1. Green Bay, Lake Michigan, Lake Superior, <del>all Lake Michigan and Green Bay</del> tributaries in <del>Brown,</del>	a. Motor trolling is permitted with up to 3 hooks, baits, or lures	As specified in this subsection	As specified in this subsection	As specified in this subsection
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~~Kenosha,  
Kewaunee,  
Manitowoc,  
Marinette,  
Oconto, and  
Racine counties  
county~~

<p>2. Peshtigo river upstream to the first railroad bridge, Marinette county; Oconto river and tributaries except the Little river downstream from highway 141, Oconto county</p>	<p>a. From September 15 to the first Saturday in May only hooks with a one-half inch gap or less may be used while hook and line fishing.</p>	<p>As specified in this subsection</p>	<p>As specified in this subsection</p>	<p>As specified in this subsection</p>
<p>3. Lake Michigan tributaries; Peshtigo river upstream from the first railroad bridge to the first dam, Marinette county; Little river downstream from highway 141, Oconto county; Oconto river upstream from the upstream side of the highway 141 bridge to the first dam, Oconto county; and all other tributary streams, rivers and ditches - excluding the Menominee river- to Green Bay upstream to the first dam or lake</p>	<p>a. In addition to the restrictions under pars. (b) to (o), all of the following restrictions apply: From September 15 to the first Saturday in May only hooks with a one-half inch gap or less may be used and hook and line fishing is prohibited from one-half hour after sunset to one-half hour before sunrise. From September 15 to December 31, fishing by any method is prohibited from one-half hour after sunset to one-half hour before sunrise.</p>	<p>As specified in this subsection</p>	<p>As specified in this subsection</p>	<p>As specified in this subsection</p>
<p><u>4. Lake Winnebago systemwaters</u></p>	<p><u>a. Motortrolling is permitted except on the Wolf river from its mouth at Lake Poygan upstream to the dam in the city of</u></p>	<p><u>As specified in this subsection</u></p>	<p><u>As specified in this subsection</u></p>	<p><u>As specified in this subsection</u></p>

Shawano, and all its  
tributaries upstream  
to the first dam,  
including Cincoe  
lake and Partridge  
Crap lake in  
Winnebago,  
Waupaca,  
Outagamie and  
Shawano counties.

SECTION 28. NR 23.08 is amended to read:

NR 23.08 **Motor trolling.** ~~Fishing from a motor-driven boat when the motor is running or from any boat in tow of a motor-driven boat when the motor is running~~ Trolling with up to 3 hooks, baits, or lures per person is authorized on all Wisconsin-Michigan boundary waters except Vilas county waters, where trolling is only authorized with 1 line per person, with no more than 1 hook, bait, or lure per line, and with more than a total of 2 lines used for trolling per boat.

SECTION 29. NR 23.08, as affected by Section 28, is amended to read:

NR 23.08 **Motor trolling.** Trolling with up to 3 hooks, baits, or lures per person is authorized on all Wisconsin-Michigan boundary waters except Vilas county waters, ~~where trolling is only authorized with 1 line per person, with no more than 1 hook, bait, or lure per line and with more than a total of 2 lines used for trolling per boat.~~

SECTION 30. EFFECTIVE DATE. This rule shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, as provided in s. 227.22(2)(intro.), Stats., except as follows:

- (1) Sections 3, 5, 27, and 29 take effect on May 4, 2018.

SECTION 31. BOARD ADOPTION. This rule was approved and adopted by the State of Wisconsin Natural Resources Board on May 28, 2014.

Dated at Madison, Wisconsin \_\_\_\_\_

STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES

By \_\_\_\_\_  
Cathy Stepp, Secretary

(SEAL)