



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

NR 21, WCD 21

Filed March 4, 1971
10:35 am

L. P. Voigt
Secretary

BOX 450
MADISON, WISCONSIN 53701

STATE OF WISCONSIN)
)
DEPARTMENT OF NATURAL RESOURCES) ss.

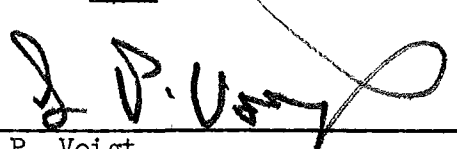
Greetings:

I, L. P. Voigt, Secretary of the Department of Natural Resources, hereby certify that the renumbering and amending of the rules and regulations of the Wisconsin Conservation Department (WCD) in the Wisconsin Administrative Code to Natural Resources (NR) designation are renumberings and amendments designed solely to bring the language of the existing rules into conformity with subsequent statutory changes which created the Department of Natural Resources (Chapter 75, Laws of 1969 and Wis. Stat. 15.34) and reorganized the state structure (Chapter 276, Laws of 1969).

I further certify that said copy has been compared by me with the original on file in this department and that the same is a true copy thereof, and of the whole of such original.

DEPARTMENT SEAL

In testimony whereof, I have hereunto set my hand and affixed the official seal of the Department at the Pyare Square Building in the City of Madison, this 1st day of March, A.D., 1971.



L. P. Voigt
Secretary

ORDER OF THE DEPARTMENT OF NATURAL RESOURCES
ADOPTING, AMENDING OR REPEALING RULES

Pursuant to authority vested in the Department of Natural Resources by 227.02 (2) (b), Wis. Stats., the Department of Natural Resources hereby repeals, amends and adopts rules as follows:

SECTION 1. Chapter WCD 21 is renumbered to Chapter NR 21.

SECTION 2. WCD 21.01 is renumbered to NR 21.01.

SECTION 3. WCD 21.02 is renumbered to NR 21.02.

SECTION 4. NR 21.02 (1) is amended to read:

(1) There shall be established and maintained on the interstate boundary waters between the states of Wisconsin and Minnesota, which boundary waters are more particularly described under section WCD NR 21.01, 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.

SECTION 5. WCD 21.03 is renumbered to NR 21.03.

SECTION 6. WCD 21.04 is renumbered to NR 21.04.

SECTION 7. WCD 21.05 is renumbered to NR 21.05.

SECTION 8. NR 21.05 (1) (intro. par.) is amended to read:

(1) Except as otherwise expressly provided by the Wis. Stats. or by commission department order:

SECTION 9. WCD 21.06 is renumbered to NR 21.06.

SECTION 10. WCD 21.07 is renumbered to NR 21.07.

SECTION 11. WCD 21.08 is renumbered to NR 21.08.

SECTION 12. NR 21.08 (1) is amended to read:

(1) It shall be unlawful for any person to set or operate more than four set lines (trot lines) with not to exceed a total of 100 hooks to each line and not to exceed a total of 400 hooks in the aggregate, for the taking, catching, killing, or fishing for catfish 15 inches or over in length,

hackleback sturgeon 25 inches or over in length, bullheads and rough fish only; size limits, except catfish, shall conform to the provisions of section WGD NR 21.03; in such fishing it shall be unlawful to use any frog or game fish, or part thereof either dead or alive as bait in the Mississippi river and Lake Pepin. The operation of legal set lines is permitted in the waters of the Mississippi river and Lake Pepin only and it shall be unlawful for any person to set, use, place or operate any set line in the boundary waters of the St. Louis river, the St. Croix river and Lake St. Croix as defined in section WGD NR 21.01.

SECTION 13. WCD 21.09 is renumbered to NR 21.09.

SECTION 14. NR 21.09 (1) (a), (4) (b), (5), (6), (7), (8) and (12) are amended to read:

(1) (a) It shall be lawful for any person who is properly licensed under the provisions of section 29.34, Wis. Stats., to use a seine with a mesh of any size and such net may be of any dimension for the purpose of taking, catching, killing or fishing for rough fish throughout the year in the boundary waters of the Mississippi river, Lake Pepin, Lake St. Croix and the St. Croix river downstream from the U.S. highway # 8 bridge in St. Croix Falls. Commercial fishing operations, except set lines and gill nets shall be prohibited on Sundays and legal holidays recognized by federal authority, except by permission of the ~~conservation-commission~~ department. Whenever the size of mesh is mentioned, the measurement shall be made by stretch measure. Such measurements shall apply to net meshes when in use and no allowance shall be made for the shrinkage due to any cause.

(4) (b) 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 department or its agents.

(5) No nets or set lines may be used or operated at any time within 900 feet below any dam on the Mississippi river; nor in the following closed areas from April 15 to the next following October 31 unless a contract or a permit is issued by the conservation-commission department: Lake Onalaska, the entire body of water created by the nine-foot channel dam at Onalaska, the lake extending northward from the dam to Brice Prairie and the extreme northern point of French island; Black river from Onalaska nine-foot channel dam to the Chicago, Milwaukee, St. Paul and Pacific railroad bridge immediately south of Copeland Park in the city of La Crosse; French lake, which is located on French island, lying opposite the city of La Crosse, between the Black river and east channel of the Mississippi river; Gravel pit and entire Bank Slough area from 13th Place in the city of La Crosse southeasterly to where it enters Running Slough; nor in the following closed areas at any time unless a contract or a permit is issued by the conservation-commission department: Lagoon, which is located on Pettibone island within the corporate limits of the city of La Crosse, the closed area to include also the waterway connecting the Lagoon proper with the Mississippi river; Goose lake, lying in Pierce county; and the Trempealeau lakes, known as Second, Third and Round lakes, lying in Trempealeau county; nor shall any gill nets be used or operated at any time in the following waters unless a contract or permit is issued by the conservation-commission department: Black river from the Onalaska nine-foot channel dam to the Chicago, Milwaukee, St. Paul and Pacific railroad bridge immediately south of Copeland Park in the city of La Crosse; French lake, which is located on French island, lying opposite the city of La Crosse,

between the Black river and east channel of the Mississippi river; Gravel pit and the entire Bank Slough area from 13th Place in the city of La Crosse southeasterly to where it enters Running Slough.

(6) No net or nets may be used or operated in any manner in the boundary waters described in this chapter except under the direct supervision of the ~~conservation-commission-of-Wisconsin~~ department, its agents or conservation wardens. Said ~~commission~~ department may require the operators of such nets to pay for supervision individually or in groups in the manner they deem advisable and said ~~commission~~ department shall fix the amount to be paid each supervising warden but it shall not exceed 8 dollars per day and actual and necessary expenses in any instance.

(7) The ~~state-conservation-commission~~ department or its agents may require any operator of any seine, gill net or set line to cease the fishing operations when said ~~commission~~ department finds these operations are destructive to game fish or for any other valid reason.

(8) The use or operation of all other nets except those hereinbefore mentioned in this chapter is prohibited in such boundary waters at all times with the exception of such nets as may be authorized by the ~~conservation~~ commission department under contract or permit with the operator of the same. The specifications for the nets operated under contract or permit shall be agreed upon between the states of Wisconsin and Minnesota.

(12) All fishermen licensed under the provisions of section 29.34 and 29.37, Wis. Stats., shall report to the ~~conservation-commission~~ department on blanks to be furnished by the ~~commission~~ department, 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 the commercial fishing activities required by the ~~conservation~~ commission department.

SECTION 15. WCD 21.10 is renumbered to NR 21.10.

SECTION 16. WCD 21.11 is renumbered to NR 21.11.

SECTION 17. WCD 21.13 is renumbered to NR 21.13.

SECTION 18. NR 21.13 is amended to read:

NR 21.13 ICE FISHING SHELTERS. Buildings, vehicles, tents, fish shanties or similar enclosures may be used on the ice for fishing purposes on the Mississippi river and Lake Pepin, Lake St. Croix, the St. Croix river and the St. Louis river as defined in section WGD NR 21.01 from the time the ice forms; provided, however, that all such enclosures or shelters shall be removed from the ice on or before March 1 of each year. The door of any such enclosure or shelter shall be equipped with a latch which will permit the door to be readily opened from the outside at all times while the enclosure or shelter is occupied. The name and address of the person owning such shelter or enclosure shall be painted on the outside thereof in such manner as to be readily seen and read at all times. Residents of Wisconsin or Minnesota angling from a fish house shall comply with the law of their respective states relative to licensing and identification of fish houses. Residents of states other than Wisconsin and Minnesota who hold a nonresident fishing license from either state shall comply with the law of the issuing state relative to the licensing and identification of fish houses.

SECTION 19. WCD 21.14 is renumbered to NR 21.14.

SECTION 20. WCD 21.15 is renumbered to NR 21.15.

SECTION 21. NR 21.15 (1) and (2) are amended to read:

(1) All residents of Wisconsin and Minnesota holding a resident fishing license from their respective states, or residents of states other than Wisconsin and Minnesota holding an angling license issued by either state, may fish in any of the waters of the Mississippi river and Lake Pepin lying between

the Chicago, Burlington and Quincy railroad tracks on the Wisconsin side of the river and the Chicago, Milwaukee, St. Paul and Pacific railroad tracks on the Minnesota side of the river, including all sloughs and backwaters, bays and newly-extended water areas connected with the main channel of the Mississippi river by a channel which is navigable at periods when the water is approximately equal to the normal pool elevation as created by the war department, and in the waters of Lake St. Croix, and St. Croix river and the St. Louis river as defined in section WCD NR 21.01. This reciprocity applies only to hook and line fishing, spearing, and the taking of minnows and crayfish for such fishing.

(2) No setline, commercial fishing or turtle trapping reciprocity shall be authorized except as provided in section WCD NR 21.14.

SECTION 22. WCD 21.16 is renumbered to NR 21.16.

SECTION 23. WCD 21.18 is renumbered to NR 21.18.

SECTION 24. WCD 21.19 is renumbered to NR 21.19.

SECTION 25. WCD 21.20 is renumbered to NR 21.20.

SECTION 26. NR 21.20 (intro. par.) is amended to read:

NR 21.20 Closed areas. It shall be unlawful for any person to take, catch, disturb, kill or fish for fish of any variety on any area of water so posted with conservation department signs, the same being located within the exterior limits of the following waters.

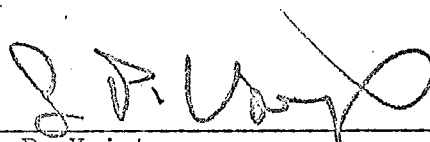
The rules, amendments, and repeals contained herein shall take effect on publication.

Dated at Madison, Wisconsin, this 1st day of March, 1971.

(DEPARTMENT SEAL)

DEPARTMENT OF NATURAL RESOURCES

By



L. P. Voigt
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period when set under the ice, unless a longer period is granted by the Wisconsin-conservation-commission department or its agents.

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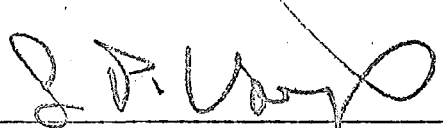
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