



CR 83-43

State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

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STATE OF WISCONSIN)
DEPARTMENT OF NATURAL RESOURCES) SS

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AUG 31 1983

Revisor of Statutes
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TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Carroll D. Besadny, Secretary of the Department of Natural Resources and custodian of the official records of said Department, do hereby certify that the annexed copy of Natural Resources Board Order No. F-3-83 was duly approved and adopted by this Department on June 23, 1983. 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.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at General Executive Facility #2 in the City of Madison, this 29th day of August, 1983.

Carroll D. Besadny
Carroll D. Besadny, Secretary

(SEAL)

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1-1-84

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

.....
IN THE MATTER of repealing s. NR 20.04(3)(d)2.a.;
renumbering s. NR 20.03(1)(a)4.; renumbering and
amending ss. NR 20.04(9) (title) and (b); amending ss.
NR 20.03(1)(intro.), NR 20.03(2)(b)1.,
NR 20.04(3)(d)1., NR 20.04(3)(d)2.(intro.),
NR 20.04(3)(d)2.h., NR 20.04(4)(a)5.,
NR 20.06(1)(b)37., 50. and 64., and NR 20.08(1);
repealing and recreating ss. NR 20.03(1) (c), (e) and
(f) and NR 20.04(7) and (8) and creating ss.
NR 20.03(1)(a)4., NR 20.04(8)(d), NR 26.01(57)(b)
and NR 26.06(26)(d) of the Wisconsin Administrative
Code pertaining to the 1984 fishing regulations.
.....

F-3-83

Analysis Prepared by Department of Natural Resources

The proposed rule revisions pertain to:

1. Establishing an urban fish program and allow the district director to determine when the fishing seasons will be opened and closed.
2. Open the muskie season on the Saturday nearest Memorial Day north of State Hwy. 10 instead of the first Saturday in May.
3. Require turtle traps to be raised and emptied at least once each day following the day set on inland waters.
4. Allow anglers to register a lake sturgeon taken on hook and line at a lake sturgeon registration station of their choice rather than limiting registration to the county in which the fish was caught.
5. Establish experimental size and bag limits on largemouth bass, smallmouth bass and trout in one Oneida and one Vilas County lake.
6. Establish a 17-inch minimum size limit for lake trout in Palette lake, Vilas county.
7. Establish a 5 in aggregate trout and salmon bag limitation on Lake Superior tributary streams during the extended seasons but allow only 2 rainbow trout be included in the bag limit.
8. Reduce the daily trout bag limit to 2 fish in Walworth, Racine, Kenosha, Waukesha, Milwaukee, Ozaukee and Washington counties.

9. Open the trout season in Crawford and Vernon county ponds January 1 to conform with these counties stream trout openings.
10. Prohibit trout and salmon snagging in the Fox river, Brown county and the Oconto river and its tributaries in Oconto county.
11. Establish fish refuges on portions of Spider creek, Sawyer county, and Fisher and Catherine lakes, Iron county.
12. Prohibit motor trolling on 4 Vilas county lakes.
13. Establish "slot" size limits on walleye in Pine lake, Iron county.

Pursuant to the authority vested in the State of Wisconsin Natural Resources Board by ss. 23.09(2)(c), 29.085, 29.174(3), and 227.014, Stats., the State of Wisconsin Natural Resources Board hereby repeals, renumbers, renumbers and amends, amends, repeals and recreates, and creates rules interpreting ss. 23.09(2)(c) and (k), 29.085, and 29.174(2), Stats., as follows:

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

(1) The open seasons specified in the following table apply to fishing in open waters and fishing through the ice, except that the department shall close the season for fishing through the ice in any inland waters when it finds after scientific investigation and study that continued fishing through the ice in ~~such~~ specified waters would result in a depletion of the supply of game fish ~~therein~~ and that ~~such~~ a closed season is necessary to conserve the fish supply and insure the citizens of this state continued opportunities for good fishing ~~therein-and-such~~. The closed seasons shall be put into effect by posting a notice ~~thereof~~ on or in the vicinity of the shore of the waters affected, ~~such-posting-being~~. Posting is deemed by the department to be the most feasible way of notifying the public that ~~such~~ a closed season is in effect ~~and-such~~. The closed seasons shall remain in full force and effect so long as ~~such~~ the waters are covered with ice and so long as ~~such~~ posting is continued. The department may also, following scientific investigation and study, establish bag limits and size limits on the individual inland waters when it finds that the taking of fish will aid in management of the fishery

and insure the citizens of this state additional opportunities for good fishing. Such special regulations shall become effective only after public informational meetings are held. The department may also establish an urban fishing program by posting the open and closed seasons on specified waters. For open seasons in specified waters see s. NR 20.04. The possession limit for each species of fish shall be double the daily bag limit specified in this chapter except that no person ~~shall~~ may have in ~~his~~ possession or under ~~his~~ control more than the daily bag limit while on the ice or waters or while fishing in the state of Wisconsin. The measurement of all fish taken shall be in a straight line from the tip of the snout to the utmost end of the tail fin fully extended.

SECTION 2. NR 20.03(1)(a)4. is renumbered NR 20.03(1)(a)5.

SECTION 3. NR 20.03(1)(a)4. is created to read:

Kind of fish and locality	Open season (both dates inclusive)	Daily bag limit	Minimum length (inches)
4. Little Bass lake, Oneida county (smallmouth bass) and Wildwood lake, Vilas county (largemouth bass). See also s. NR 20.04(8)(d)	First Saturday in May to November 15	5 of each	12

SECTION 4. NR 20.03(1)(c) is repealed and recreated to read:

Kind of fish and locality	Open season (both dates inclusive)	Daily bag limit	Minimum length (inches)
(c) WALLEYE AND SAUGER			
1. Pine lake, Iron county	First Saturday in May to March 1	10 in aggregate of which no more than 5 may exceed 18 inches	No minimum length except the possession of fish between 14 inches and 18 inches is prohibited
2. In all waters of Barron, Burnett, Polk, and Sawyer counties	First Saturday in May to March 1	5 in aggregate	13
3. In all other waters (see also s. NR 20.04)	First Saturday in May to March 1	5 in aggregate	No size limit

SECTION 5. NR 20.03(1)(e) is repealed and recreated to read:

Kind of fish and locality	Open season (both dates inclusive)	Daily bag limit	Minimum length (inches)
(e) MUSKELLUNGE (includes hybrid muskellunge)			
1. Twin Valley lake, Iowa county	First Saturday in May to November 30	1	36
2. Long lake, Iron county; Bone lake, Polk county; Winter lake, Sawyer county; and Big lake (sec. 4, T42N, R6E), Vilas county	Saturday nearest Memorial Day to November 30	1	34
3. All other waters north of state hwy. 10	Saturday nearest Memorial Day to November 30	1	32
4. All other waters south of state hwy. 10	First Saturday in May to November 30	1	32

SECTION 6. NR 20.03(1)(f) is repealed and recreated to read:

Kind of fish and locality	Open season (both dates inclusive)	Daily bag limit	Minimum length (inches)
(f) TROUT AND SALMON (any variety except lake trout in Lake Superior tributary streams and lake trout and splake on all other inland waters except Lake Michigan tributary streams where lake trout are included in the daily bag limit up to the first dam or lake.)			
1. Columbia, Crawford, Grant, Green, Iowa, LaCrosse, Lafayette, Richland, Sauk and Vernon county waters, including lakes (ponds) except as further restricted in s. NR 20.04	January 1 to but not including the first Saturday in May	2 in aggregate	6
	First Saturday in May at 5:00 a.m. to September 30	5 in aggregate	6
2. Dane, Dodge, Jefferson and Rock county lakes (ponds)	January 1 to but not including the first Saturday in May	2 in aggregate	6
	First Saturday in May at 5:00 a.m. to September 30	5 in aggregate	6
3. Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington and Waukesha county spring ponds, and streams excluding Lake Michigan tributaries upstream to the first dam or lake and lakes (ponds) stocked on a put and take basis	First Saturday in May at 5:00 a.m. to September 30	2 in aggregate	6
4. Lake Michigan tributary streams upstream to the first dam or lake (See also s. NR 20.04(3)(c))	Continuous	5 in aggregate of which only 3 may be lake trout	10
5. Lake Superior tributary streams	First Saturday in May at 5:00 a.m. to but not including June 1	5 in aggregate	6
	June 1 to September 30	10 in aggregate	6

Kind of fish and locality	Open season (both dates inclusive)	Daily bag limit	Minimum length (inches)
a. There shall be a special extended open season on the Brule river, Douglas county, from its mouth upstream to the first U.S. hwy. 2 crossing	From October 1 to, but not including the first Saturday in May, fishing, excluding taking smelt with gear specified in s. NR 20.09(3)(b), is prohibited one-half hour after sunset to one-half hour before sunrise	5 in aggregate of which only 2 may be rainbow trout	10
b. There shall be a special extended open season for trout and salmon in the following county tributary waters	Saturday nearest April 1 to, but not including the first Saturday in May and October 1 to November 15	5 in aggregate of which only 2 may be rainbow trout	10

Ashland county:

Bad river from its mouth upstream to Copper falls;
 Potato river from its mouth upstream to Guerney falls;
 White river from its mouth upstream to White river dam;
 Brunsweller and Marengo rivers upstream to hwy. 13

Bayfield county:

Cranberry river from its mouth upstream to the Lenawee road (T50N, R7W, sec. 28);
 north fork Fish creek (T47N, R5W, sec. 1) from its mouth upstream to the junction with Pine creek (T47N, R6W, sec. 13);
 Flag river from its mouth upstream to the junction with the east fork Flag river;
 Iron river from

its mouth upstream to Orienta dam; Sioux river from its mouth upstream to Big Rock falls (T49N, R4W, sec. 19); Siskowitt river from its mouth upstream to second bridge (T41N, R6W, sec. 35).

Iron county:

Graveyard creek from its mouth upstream to U.S. hwy. 2; Oronto creek from its mouth upstream to its source; Parker creek from its mouth upstream to its source.

c. There shall be a special extended open season for trout and salmon in the following county tributary waters.

October 1 to
November 15

5 in aggregate 10
of which only
2 may be
rainbow trout

Bayfield county:

Bono creek from its mouth upstream to its source; Boyd creek from its mouth upstream to its source; Onion river from its mouth up to Lake Superior District Power Company power line (T49N, R4W, sec. 6); Pikes creek from its mouth upstream to the Red dam; Pine creek from its mouth upstream to junction with Little Pine creek (T47N, R6W, sec. 11) and Whittlesey creek from its mouth upstream to Town Hall road.

Douglas county:

Amnicon river from its mouth upstream to Amnicon falls; Middle river from its mouth upstream to U.S. hwy. 2; Nemadji river from its mouth upstream to Great Northern Railroad Bridge (T47N, R14W, sec. 4); Black river from its mouth upstream to Big Manitou falls; Poplar river from its mouth upstream to U.S. hwy. 2 and the St. Louis river from its mouth upstream to the Wisconsin-Minnesota state line.

6. All other inland waters	First Saturday in May at 5 a.m. to but not including June 1	10 of which only 5 may be rainbow trout in aggregate	6
	June 1 to September 30	10 in aggregate	6
a. There shall be an extended open season for trout and salmon on the following inland waters:	October 1 to November 15	5 in aggregate	6

Risk creek pond in Adams county; Gilmanton pond in Buffalo county; Banach lake in Burnett county; Anderson lake in Douglas county; Sand lake (sec. 13, T39N, R18E) in Florence county; Bug, Logger and Valley lakes in Forest county; Hoffman, Trout Run Church and Oxbow ponds in Jackson county; Pence, Rogers and Townline lakes in Langlade county; Ament, Hanson, Larsen, Morgan, Moraine and Tahoe lakes in Lincoln county; Horseshoe lake in Manitowoc county; Cataract, Evans, Hans Biegel, Kickapoo Spring and Pinnacle Rock ponds in Monroe county; Little Bass lake (sec 15, T39N, R7E) in Oneida county; Quarry lake in Sheboygan county; Eleva pond in Trempealeau county; Esofea and Timber Coulee ponds in Vernon county; Bluegill, Fallison, Firefly, Weber, Little John, Jr., Otto Mielke, Pauto and Wildwood lakes in Vilas county; Lannon Park pond in Waukesha county; and Keller lake, Waupaca county. (See also s. NR 20.04(9))

b. There shall be an extended open season for trout and salmon on all other inland lakes containing trout or salmon except natural spring and spring ponds.

October 1 to March 1	5 in aggregate	6
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SECTION 7. NR 20.03(2)(b)1. is amended to read:

1. Any person who has taken a lake sturgeon by legal methods other than spearing must immediately attach a lake sturgeon tag, furnished by the department. The tagged lake sturgeon shall be registered at a department lake sturgeon registration station ~~in a county adjacent to the water the lake sturgeon was taken from~~ no later than 6:00 p.m. the day after the fish was caught. Registration tags attached to the fish by the department shall remain attached until the carcass is finally consumed.

SECTION 8. NR 20.04(3)(d)1. is amended to read:

1. During the period from October 1 to but not including the first Saturday in May of the following May, annually, upstream to the first dam or lake on any stream tributary to Lake Michigan or Green Bay, except the Kewaunee river where this rule applies upstream to the third county hwy. "C" bridge, the minimum size of trout and salmon shall be 10 inches and the daily bag limit shall be 5 fish in the aggregate, of which only 3 may be lake trout. During such period, hook and line fishing is restricted to baits using a hook with a gape size not larger than one-half inch from point to shank. During such period, fishing with hook and line is prohibited between one-half hour after sunset and one-half hour before sunrise on all streams tributary to Lake Michigan and Green Bay except the Menominee river, Oconto (including tributaries) and Fox rivers.

SECTION 9. NR 20.04(3)(d)2. (intro.) is amended to read:

2. During the period from October 1 through January 31, it shall be lawful to take trout and salmon by hand without the use of any device and by foul hooking or snagging while fishing with hook and line, using a hook with a gape size of not larger than one-half inch from point to shank, in the following waters only. During such period fishing by hand and hook and line on the following waters is prohibited between one-half hour after sunset and one-half hour before sunrise, except in the Menominee river. The size limit on trout and salmon shall be 10 inches and the daily bag limit shall be 5 fish in the aggregate, of which only 3 may be lake trout.

SECTION 10. NR 20.04(3)(d)2.a. is repealed.

SECTION 11. NR 20.04(3)(d)2.h. is amended to read:

h. Oconto county - all named and unnamed streams tributary to Green Bay, other than the Oconto river and its tributaries, upstream to the first dam, and the waters of Green Bay. There is no snagging season on the Oconto river and its tributaries.

SECTION 12. NR 20.04(4)(a)5. is amended to read:

5. There is a continuous open season with no daily bag limit or size limit for all species of fish contained in these waters except in Nebish lake there shall be a 10-inch minimum size limit for smallmouth bass and a 17-inch minimum size limit on lake trout in Palette lake.

SECTION 13. NR 20.04(7) and (8) are repealed and recreated to read:

(7) EXPERIMENTAL TROUT STREAMS. For the purpose of this section no person may take, catch or kill fish, or fish for fish by any means other than the use of an artificial fly by the method commonly known as "fly fishing" and with the use of artificial lures on the following streams:

(a) Castle Rock creek - In, on or along that part of Castle Rock creek, Grant county, from the Church road bridge in the NW 1/4 SE 1/2, section 36, T7N, R2W, downstream to the county trunk Q bridge in the NE 1/4 NE 1/4, section 31, T7N, R1W.

1. Castle Rock Springs - In, on or along the springhead and spring tributary of Castle Rock creek in the SW 1/4 NE 1/4, section 36, T7N, R2W, Grant county.

2. Doc Smith creek - In, on or along that part of Doc Smith creek, Grant county, from and including the SE 1/4 NE 1/4, section 1, T6N, R2W, downstream to its mouth (Castle Rock creek).

3. There is a 0 bag limit for trout and the open season is from January 1 to September 30, both dates inclusive.

(b) Race-Willow creek - In, on or along that part of Race-Willow creek, St. Croix county, known as the Race in the SW 1/4 SW 1/4 and the SE 1/4 SW 1/4, section 8; SW 1/4 NW 1/4, NW 1/4 NW 1/4 and the NE 1/4 NW 1/4, section 17; and the SE 1/4 NE 1/4, section 18, T29N, R19W, a trout daily bag limit of

one fish is established, the minimum size limit of which shall be 13 inches. The open season is the first Saturday in May beginning at 5:00 a.m. through September 30, both dates inclusive.

(c) Trout creek - In, on or along the entire length of Trout creek, Iowa county no trout may be kept unless they are under 14 inches or 18 inches and over in length, but only one trout 18 inches or over may be kept. There is no minimum size limit. The open season and other bag limits established in s. NR 20.03(1)(f)1. apply.

(d) Namekagon river - In, on or along that part of the Namekagon river, Sawyer county, from section 3, T42N, R8W, downstream through section 31, T42N, R8W, no trout between 10 and 15 inches in length may be kept. The open season, minimum size and bag limits established in s. NR 20.03(1)(f)6. apply.

SECTION 14. NR 20.04(9) is renumbered NR 20.04(8) and (title) and (b) are amended to read:

(9) EXPERIMENTAL MANAGED LAKES (PONDS).

(b) The open and closed seasons and other regulations established by this section shall apply to s. NR 20.03(1)(f)~~1-f- and-3-~~ 6.

SECTION 15. NR 20.04(8)(d) is created to read:

(d) In Little Bass lake (sec. 15, T39N, R7E), Oneida county and Wildwood lake, Vilas county there is a 12-inch minimum size limit for smallmouth and largemouth bass and all trout. Only artificial lures and flies may be used. The use of live

or dead bait of any kind is prohibited. The daily bag limit is 5 fish for each species and the open season is from the first Saturday in May through November 15.

SECTION 16. NR 20.06(1)(b) 37. and 50. are amended to read:

37. Marathon county - Big Eau Pleine reservoir upstream to the first state hwy. 153 bridge

50. Portage county - Little Eau Pleine flowage upstream to the first county hwy. '0' bridge

SECTION 17. NR 20.06(1)(b)64. is amended to read:

64. Vilas County ~~Big-Portage; Black-Oak; Laura; Smoky; Stormy~~

SECTION 18. NR 20.08(1) is amended to read:

(1) TRAPS. A maximum of 5 hoop net turtle traps ~~are allowed with~~ may be used if constructed with a mesh of not less than 8 inch stretch measure providing traps are so set that not less than 2 inches of the hoops extend above the surface of the water, ~~and float.~~ Float and tank type turtle traps not exceeding 4 feet square or 4 feet in diameter may be used for trapping turtles. Each trap while in use shall have attached in a manner as to be visible and legible at all times, a metal tag bearing the name and address of the operator of the trap and no other person may tend or operate the trap. Turtle traps shall be checked and the entrapped contents shall be removed at least once each day following the day set.

SECTION 19. NR 26.01(57)(b) is created to read:

(b) Spider creek. That part of the Spider creek beginning at the Little Spider lake dam (NE 1/4 SE 1/4, sec. 33, T42N, R7W) downstream to state hwy. 77 (SW 1/4 SE 1/4, sec 33, T42N, R7W).

SECTION 20. NR 26.06(26)(d) is created to read:

(d) Fisher and Catherine lakes. That part of the inlet and outlets connecting Fisher and Catherine lakes (sec. 2, T43N, R4E) for a distance of approximately 200 feet on either side of the road and culvert.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on June 23, 1983.

The rules contained herein shall take effect as provided in s. 227.026(1) (intro.), Stats.

Dated at Madison, Wisconsin August 29, 1983
STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By Carroll D. Besadny
Carroll D. Besadny, Secretary

(SEAL)