

Chapter NR 20

FISHING; INLAND WATERS; OUTLYING WATERS

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(Sections 29.085 and 29.174, Stats.)

NR 20.01 Purpose; general restriction. Seasons, bag limits, possession limits and other regulations for fishing in Wisconsin waters are established in this chapter. No person may take, catch, kill or fish for fish of any variety in excess of the daily bag limit, by means other than hook and line, during other than the open season or possess or control any fish in excess of the possession limit or below the minimum size limit, except as expressly provided in this chapter.

History: 1-2-56; am. Register, December, 1957, No. 24, eff. 1-1-58; renum. from WCD 20.01 to be NR 20.01, Register, November, 1970, No. 179, eff. 1-1-71; reprinted to correct error, Register, April, 1984, No. 340; r. and recr. Register, November, 1986, No. 371, eff. 12-1-86.

NR 20.0125 License waiver. (1) On the first Sunday of June each year, no fishing license is required to fish the inland or outlying waters.

(2) The license waiver of sub. (1) does not apply to commercial fishing license requirements.

History: Cr. Register, April, 1987, No. 376, eff. 5-1-87; am. (1), Register, April, 1989, No. 400, eff. 5-1-89.

NR 20.015 Definitions. For the purpose of this chapter, the following terms are defined as follows:

(1) "Artificial fly" means a single hook dressed with fur, feathers, hair, silk, tinsel, thread or similar material to imitate the natural food of trout.

(2) "Artificial lure" means a bait designed to attract fish which does not include any natural bait.

(2m) "Business day" has the meaning given it in s. 421.301 (6), Stats.

(3) "Fisher" means any person engaged in fishing.

(4) "Fishing" includes taking, capturing or killing fish or fishing for fish of any variety at any time in the waters of the state.

(4d) "Safe harvest" means a level of harvest that incorporates an appropriate margin of safety, estimates of the population and acceptable exploitation rates which will reasonably prevent harvest of more than 35% of the population of adult walleyes or 27% of the population of adult muskellunge. The margin of safety assures that the true safe harvest is not exceeded in more than 1 of 40 cases. For waters where a population estimate has not been made, a regression model based upon population estimates from other waters will be used. The margin of safety used depends upon the age of the population estimate was made and whether a regression model was used.

(4e) "Secretary" means secretary of the department of natural resources.

(4g) "Setline" means a line with one or more hooks fastened to it and designed to be set or left unattended in the water for the purpose of taking fish.

(4t) "Set or bank pole" means a pole equipped with line with one or more hooks fastened to it, designed to be used for fishing from the banks of lakes or rivers and set or left unattended.

(5) "Telemetry device" means any device attached or implanted in fish that transmits a sonic or electronic signal to aid in fishing.

History: Cr. Register, December, 1976, No. 252, eff. 1-1-77; renum. (1) and (2) to be (3) and (4), cr. (1) and (2), Register, December, 1982, No. 324, eff. 1-1-83; reprinted to correct error in (2), Register, April, 1984, No. 340; cr. (5), Register, December, 1984, No. 348, eff. 1-1-85; cr. (4g) and (4t) Register, March, 1986, No. 363, eff. 4-1-86; cr. (2m), Register, June, 1987, No. 378, eff. 7-1-87; emerg. cr. (4d), eff. 5-5-89, cr. (4d) and (4e), Register, November, 1989, No. 407, eff. 12-1-89.

NR 20.02 Waters classified; hook and line fishing in outlying waters. (1) For the purpose of regulating hook and line fishing in the outlying waters, the closed seasons, size limits, bag and possession limits, number of hooks and lines and ice fishing regulations shall be the same as those prescribed for the inland waters of the county in which such outlying waters are located, except as otherwise specifically provided in the following table:

Species	Area	Open season	Daily bag limit	Minimum length (in.)
(a) WALLEYE AND SAUGER (Bag limit means total of all)	1. Lake Michigan and Green Bay except the Fox river from its mouth upstream to the dam at DePere	At all times	3	No size limit
	2. Fox river from its mouth upstream to the dam at DePere	First Saturday in May to March 1	3	No size limit
	3. Lake Superior	March 2 to the day before the first Saturday in May.	1	28
(b) NORTHERN PIKE	Lake Michigan and Green Bay	At all times	5	No size limit
	Lake Superior	At all times	5	No size limit
(c) YELLOW PERCH	Green Bay	Continuous	50	No size limit
	Lake Michigan	Continuous	50	No size limit
	Lake Superior	Continuous	50	No size limit

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(d) 1. TROUT AND SALMON	1. Lake Michigan and Green Bay, except as provided in subd. 2.	All year except the open season for lake trout is from May 1 through Labor Day, except as provided in subd. 2.	5 in total of which only 2 may be lake trout, except as provided in subd. 2.	10
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Species	Area	Open season	Daily bag limit	Minimum length (in.)
	2. Lake Michigan, within the following area: From the end of the south pier at the entrance of the Sturgeon Bay ship canal on a course of 136° for 17.5 nautical miles, then west for 16.8 nautical miles to the end of the Algoma north pier, then along the north side of that pier to the shore of Lake Michigan, then north along the shore to the base of the south pier at the entrance of the Sturgeon Bay ship canal, then along the south side of that pier to its end.	All year except there is no open season for lake trout.	5 in total of which none may be lake trout. No person may possess lake trout when fishing in this area of Lake Michigan.	10
	3. Lake Superior	All year except the open season for lake trout is from December 1 through September 30.	10 in total of which only 5 may be trout and only 3 of these 5 may be lake trout.	10 except the minimum length for lake trout is 17
(e) LARGEMOUTH AND SMALL-MOUTH BASS	1. Lake Michigan and Green Bay (excluding waters within ¼-mile of Washington, Detroit, Plum, Pilot, Hog and Rock Islands)	First Saturday in May to March 1	5 of each	12
	2. Waters within ¼ mile, of Washington, Detroit, Plum, Pilot, Hog and Rock Islands.	July 1 to March 1	5 of each	12
	3. Lake Superior	Second Saturday in May to March 1	5 of each	12
(f) LAKE STURGEON	Lake Superior	Continuous	1 per yr	40

(g) Herring of any size with no bag limit may be taken by hook and line at all times in the outlying waters.

(h) All species of fish of lawful size may be taken from the outlying waters including Chequamegon Bay by trolling from a motor driven boat or sailboat during the open season therefor. It shall be unlawful to spear any species or variety of fish in the outlying and reserve waters at any time, except that rough fish may be speared from sunrise to sunset in all outlying waters and may be taken with the use of spear guns by the method commonly known as skin diving by divers under the water in Lake Michigan. Northern pike may be speared through the ice in Lake Superior.

(2) As used in sub. (1), Green Bay shall mean Green bay, Sturgeon bay, Sawyer's harbor and the Fox river from its mouth up to the dam at DePere.

History: 1-2-56; am. (1) (a) Register, December, 1956, No. 12, eff. 1-1-57; am. (1) and (1) (a), Register, December, 1957, No. 24, eff. 1-1-58; am. (1) (a) and (d); renum. (1), (e), (f) and (g) to be (1) (f) (g) and (h); cr. (1) (e), Register, October, 1958, No. 34, eff. 1-1-59; r. and recr. Register, December, 1959, No. 48, eff. 1-1-60; am. (1), (g) and (j), Register, June, 1984, No. 342 eff. 1-1-61; r. and recr., Register, December, 1961, No. 72, eff. 1-1-62; am. (1) (d) and (1) (i), Register, June, 1962, No. 78, eff. 7-1-62; am. (1) (d), Register, July, 1962, No. 79, eff. 8-1-62; am. (1) (g), Register, December, 96, eff. 1-1-64; am. (1) (intro. par.), (b) and (g), Register, December, 1964, No. 108, eff. 1-1-65; am. intro. par., Register, November, 1965, No. 119, eff. 1-1-66; r. and recr. (1) (d), (f), and (g), Register, December, 1966, No. 132, eff. 1-1-67; am. (1) (d) and (g), Register, December, 1967, No. 144, eff. 10-1-68; r. and recr. (1) (e); r. (f); renum. (g) and (h) to be (f) and (g); renum. (i) to be (h) and am., Register, December, 1968, No. 156, eff. 1-1-69; r. and recr. (1) (d) and r. (1) (f), Register, March, 1969, No. 159, eff. 4-1-69; renum. from WCD 20.02 to be NR 20.02, and am. (1) (e), Register, November, 1970, No. 179, eff. 1-1-71; cr. (1) (f), Register, August, 1971, No. 188, eff. 1-1-72; emerg. r. and recr. (1) (d) eff. 9-23-72; am. (1) (e), Register, November, 1972, No. 203, eff. 1-1-73; emerg. r. and recr. (1) (d) eff. 11-16-72; am. (1) (d), Register, May 1973, No. 209, eff. 6-1-73, am. (1) (d) 1 and (e), Register, November, 1975, No. 239, eff. 12-1-75; am. (1) (e), Register, December, 1978, No. 276, eff. 1-1-79; am. (1) (c), Register, August, 1979, No. 284, eff. 9-1-79; am. (1) (d), Register, December, 1980, No. 300, eff. 1-1-81; r. and recr. (1) (c), Register, December, 1981, No. 312, eff. 1-1-82; am. (1) (a), Register, October, 1982, No. 322, eff. 11-1-82; r. and recr. (1) (c), Register, April, 1983, No. 323, eff. 5-1-83; cr. (2), Register, December, 1983, No. 336, eff. 1-1-84; am. (1) (c), Register, December, 1984, No. 348, eff. 1-1-85; emerg. am. (1) (d) 3., eff. 4-22-86; r. and recr. (1) (d) 1. and 2., Register, May, 1986, No. 365, eff. 6-1-86; renum. (1) (d) 3. to be (1) (d) 2. c. and am. Register, November, 1986, No. 371, eff. 12-1-86; r. and recr. (1) (d), Register, July, 1988, No. 391, eff. 8-1-88; am. (1) (a) and (e), Register, November, 1988, No. 395, eff. 12-1-88.

NR 20.03 Season tables; open and closed seasons, size and bag limits and measurements. (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 specified waters would result in a depletion of the supply of game fish and that a closed season is necessary to conserve the fish supply and insure the citizens of this state continued opportunities for good fishing. The closed seasons shall be put into effect by posting a notice on or in the vicinity of the shore of the waters affected. Posting is deemed by the department to be the most feasible way of notifying the public that a closed season is in effect. The closed seasons shall remain in full force and effect so long as the waters are covered with ice and so long as 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

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be double the daily bag limit specified in this chapter except that no person may have in possession or under 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.

Kind of fish and locality	Open season (both dates inclusive)	Daily bag limit	Minimum length (inches)
(a) LARGEMOUTH AND SMALLMOUTH BASS			
1. b. Browns lake, Racine county and Pretty lake, Waukesha county (largemouth bass)	First Saturday in May to March 1	5	16
c. Wilson lake, Iron county; Kimball lake, Mueller lake and Sawyer lake, Langlade county; Rockland lake, Racine county; and Beulah Lake, Walworth county (largemouth bass)	First Saturday in May to March 1	5	No minimum length except the possession of fish between 12 and 16 inches is prohibited.
d. Day lake, Ashland county (largemouth bass)	First Saturday in May to March 1	5	18
3. Nebish lake (sec. 11, T41N, R7E) Vilas county (smallmouth bass)	Continuous	5	No minimum length except the possession of fish between 9 and 12 inches is prohibited.
4. Blake and Loveless lakes, Polk county and Wabasso lake, Vilas county (largemouth bass)	First Saturday in May to March 1	5	No minimum length except the possession of fish between 12 and 15 inches is prohibited.
5. Spruce lake, Vilas county (largemouth bass) (see also s. NR 20.04 (4) (a) 2. and 5.	Continuous	2	12
6. 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	12
7.a. Beaver Dam lake, Dodge county (largemouth bass)	No open season	—	—
b. Ripon millpond, Fond du Lac county (largemouth bass)	No open season	—	—
c. Round lake (sec. 25, T20N, R11E), Waushara county (largemouth bass)	No open season	—	—
8. Palette lake (sec. 3, T41N, R7E), Vilas county (smallmouth bass)	Continuous	2	16

Kind of fish and locality	Open season (both dates inclusive)	Daily bag limit	Minimum length (inches)
9. All other inland waters north of a line beginning with state hwy. 70 bridge over the St. Croix river, following state hwy. 70 east to its intersection with state hwy. 27, then south following state hwy. 27 to its intersection with state hwy. 64, then east following state hwy. 64 to its terminus in the city of Marinette, then due east to the waters of Green Bay; and all inland waters in Brown, Kewaunee and Door counties north of a line beginning with the state hwy. 29 bridge over the Fox river, following state hwy. 29 east to its terminus in the city of Kewaunee, then continuing due east to the waters of Lake Michigan.	First Saturday in May to March 1	5 of each	12
10. In all other inland waters	First Saturday in May to March 1	5 of each	14
(c) WALLEYE AND SAUGER			
1. In all waters of Barron, Burnett, Polk and Sawyer counties	First Saturday in May to March 1	5 in aggregate	13
2.a. Beaver Dam lake, Dodge county (walleye)	No open season	—	—
b. Ripon millpond, Fond du Lac county (walleye)	No open season	—	—
c. Round lake (sec. 25, T20N, R11E), Waushara county	No open season	—	—
3. Lake Mendota, Dane county Trout lake, Vilas county	First Saturday in May to March 1	3	15
4. Balsam lake, Polk county	First Saturday in May to March 1.	3	16
5. In all other waters (See also s. NR 20.04)	First Saturday in May to March 1	5 in aggregate	No size limit
(d) NORTHERN PIKE (See also NR 20.04)			
1. In all waters of Kenosha, Milwaukee, Racine and Walworth counties	First Saturday in May to March 1	2	No size limit
2. Mason lake, Adams county	First Saturday in May to March 1	5	22
3. Shawano lake in Shawano county and all waters in Menominee county	No closed season	25	No size limit
4.a. Beaver Dam lake, Dodge county	No open season	—	—
b. Ripon millpond, Fond du Lac county	No open season	—	—
c. Round lake (sec. 25, T20N, R11E), Waushara county	No open season	—	—
5. Lake Mendota, Dane county and Wilson flowage, Price county	First Saturday in May to March 1	1	32
6. In all other waters	First Saturday in May to March 1	5	No size limit
(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

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Kind of fish and locality	Open season (both dates inclusive)	Daily bag limit	Minimum length (inches)
3. Nancy lake, Washburn county	No open season in years 1987 to 1995; beginning in 1996, the open season is the same as that for all other waters north of state highway 10	—	—
4. All other waters north of U.S. hwy. 10	Saturday nearest Memorial Day to November 30	1	32
5. All other waters south of U.S. hwy. 10	First Saturday in May to November 30	1	32
(f) TROUT AND SALMON (any variety except lake trout and splake in inland lakes.)			
1. All inland waters south of a line from the Mississippi river to and along state hwy. 33, 82, 23 and 151 and extending east to Laketo Michigan, except for Lake Michigan tributary streams. In addition, certain waters are further restricted in s. NR 20.04.	First Saturday in May at 5:00 a.m. to September 30	3 in aggregate	9
a. There is a special early trout season in all waters of Columbia, Crawford, Grant, Green, Iowa, Lafayette, Richland and Sauk counties and the lakes (ponds) of Dane, Dodge, Jefferson and Rock counties.	January 1 to the day before the first Saturday in May	2 in aggregate	9

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Kind of fish and locality	Open season (both dates inclusive)	Daily bag limit	Minimum length (inches)
2. All Lake Michigan and Green Bay tributary streams upstream to the first dam or lake or to the third county highway "C" bridge on the Kewaunee river. (See also s. NR 20.04 (3) (c).)	All year except the open season for lake trout is from May 1 through Labor Day	5 in total of which only 2 may be lake trout	10
3. All inland waters north of a line from the Mississippi river to and along state hwy. 33, 82, 12 and 151 and extending east to Lake Michigan, except for Lake Michigan, Green Bay and Lake Superior tributary streams and the south fork of Main creek, Rusk county. In addition, certain waters are further restricted in s. NR 20.04	First Saturday in May at 5:00 a.m. to May 31	10 in total of which only 5 may be rainbow and brown trout	6
4. Lake Superior tributary streams except Brule river and its tributaries.	First Saturday in May at 5:00 a.m. to May 31	5 in aggregate	6
	June 1 to September 30	10 in aggregate	6
a. Brule river and its tributaries	First Saturday in May at 5:00 a.m. to September 30	5 in aggregate of which only 2 may be brown trout exceeding 15 inches and only 1 of which may be rainbow trout	brook trout 8 brown trout 10 rainbow trout 12 salmon 12
b. There is a special early and extended open season for trout and salmon in the following county tributary streams.	Saturday nearest April 1 to the day before 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 Guerneville 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 of 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).			

Kind of fish and locality	Open season (both dates inclusive)	Daily bag limit	Minimum length (inches)
DOUGLAS COUNTY: Brule river from its mouth upstream to the U.S. hwy. 2 bridge crossing	During the special early and extended open season, fishing in the Brule river, 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 brown trout exceeding 15 inches and only 1 of which may be rainbow trout	brook trout 8 brown trout 10 rainbow trout 12 salmon 12
Annicon river from its mouth upstream to Annicon 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.		5 in aggregate of which only 2 may be rainbow trout	10
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 is a special extended open season for trout and salmon in the following county tributary waters.	October 1 to November 15	5 in aggregate of which only 2 may be rainbow trout	10
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 Wittlesey creek from its mouth upstream to Town Hall road.			
5. South fork of Main creek, Rusk county	First Saturday in May at 5:00 a.m. to September 30	5 in aggregate	6

Kind of fish and locality	Open season (both dates inclusive)	Daily bag limit	Minimum length (inches)
6. There is an extended open season for trout and salmon on the following inland waters.	October 1 to November 15, Ament lake, Lincoln county is open on even year dates only and Tahoe lake, Lincoln county is open on odd year dates only	5 in aggregate	6
a. Ponds north of a line from the Mississippi river to and along state hwy. 33, 82, 23 and 151 and extending east to Lake Michigan. Gilmanton pond in Buffalo county; Banach lake in Burnett county; Anderson lake in Douglas county; Sand lake (T39N, R18E, sec. 13) in Florence county; Bug, Logger and Valley lakes in Forest county; Hoffman 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 (T39N, R7E, sec. 15) in Oneida county; Bluegill, Fallison, Firefly, Weber, Little John Jr., Otto Mielke, Pauto and Wildwood lakes in Vilas county; and Keller lake, Waupaca county. (See also s. NR 20.04 (8)).			
b. Ponds south of a line from the Mississippi river to and along hwy. 33, 82, 23 and 151 and extending east to Lake Michigan. Quarry lake in Sheboygan county; Esofea and Timber Coulee ponds in Vernon county and Lannon Park pond in Waukesha county.		3 in aggregate	9
7. There is 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		
a. North of a line from the Mississippi river to and along state hwy. 33, 82, 23 and 151 and extending east to Lake Michigan.		5 in aggregate	6
b. South of a line from the Mississippi river to and along state hwy. 33, 82, [23], 23 and 151 and extending east to Lake Michigan.		3 in aggregate	9
(g) LAKE TROUT AND SPLAKE, except as provided in par. (f)	First Saturday in January to September 30	2 in aggregate	17
1. Trout lake (sec. 12, 13, 24, T41N, R6E; sec. 7, 8, 17, 19, 20, T41N, R7E, Vilas county) in the south basin commonly known as South Trout lake, north to the narrows identified as Cathedral Point.	No open season	—	—
2. Palette lake, Vilas county	No open season through 1991	—	—
(h) CATFISH			
In all waters of Brown, Calumet, Fond du Lac, Green Lake, Marquette, Outagamie, Shawano, Waupaca, Waushara and Winnebago counties and the Wisconsin river from the dam at Wisconsin Dells downstream to the Chicago, Burlington and Quincy railroad tracks	No closed season	25	No size limit
In all other waters	No closed season	10	No size limit

Kind of fish and locality	Open season (both dates inclusive)	Daily bag limit	Minimum length (inches)
(i) WHITE BASS	No closed season	None	No size limit
(j) ROCK BASS	No closed season	None	No size limit
(k) BLUEGILL, CRAPPIE, PUMPKINSEED (sunfish), YELLOW PERCH	No closed season	50 in aggregate	No size limit
(l) YELLOW BASS (STRIPED)	No closed season	None	No size limit
(m) BULLHEADS	No closed season	None	No size limit
(n) CISCO AND WHITEFISH	No closed season	25 pounds and one fish in aggregate	No size limit
(o) PADDLEFISH OR SPOONBILL CATFISH	No open season	—	—
(p) SHOVELNOSE (Sand or Hackleback) Sturgeon			
1. Chippewa river below the I-94 bridge, Eau Claire county	No closed season	25	No size limit
a. Chippewa river above the I-94 bridge, Eau Claire county	No open season	—	—
2. In all other waters south of highway #64 (except in the Wisconsin river from the Prairie du Sac dam upstream)	No closed season	25	No size limit
a. The Wisconsin river from the Prairie du Sac dam upstream	No open season	—	—
3. In all other waters north of highway #64	No open season	—	—
(q) ROCK AND LAKE STURGEON			
1. Hook and line season			
a. In all waters except Lakes Poygan, Winneconne, Butte des Morts, Winnebago and connecting waters; in the Embarrass river from the Pella dam, Shawano county downstream to its confluence with the Wolf river in Outagamie county; and the Nemadji river, Allouez Bay, Little Pokegama Bay, Pokegama Bay and Kimballs Bay, Douglas county; the Wolf river from the dam at Shawano downstream to Lake Poygan; and the Fox river downstream from milepost No. 63, commonly known as Johnson creek in Green Lake county to Lake Butte des Morts	First Saturday in September to October 15	1 per season	45
2. Spearing season			
a. Lakes Butte des Morts, Poygan and Winneconne and connecting waters	Third Saturday in February through the following Sunday (1986 only)	See b.	45
b. Lake Winnebago	Second Saturday in February to March 1	The bag limit on speared sturgeon is one per season regardless of the water in which speared	45

c. No person may have in possession or under control any spear or similar device in any building, tent, shanty or similar enclosure on the waters of Lakes Butte des Morts and Winneconne in Winnebago county, Lake Poygan in Waushara and Winnebago counties; Lake

Kind of fish and locality	Open season (both dates inclusive)	Daily bag limit	Minimum length (inches)
Winnebago in Calumet, Fond du Lac and Winnebago counties and all connecting waters including the Embarrass river from the Pella dam downstream to the Wolf river and the Wolf river from the dam at Shawano downstream to Lake Poygan and the Fox river from milepost no. 63, commonly known as Johnson creek, in Green Lake county downstream to Lake Butte des Morts, except during the open season for spearing sturgeon when such open season is in effect on a specified water named above.			
(r) PADDLEFISH OR SPOONBILL CATFISH	No open season	—	—
(s) ROUGH FISH (except for threatened and endangered species. See s. NR 27.03)	Continuous	None	No size limit

(2) (a) Each person who has speared a sturgeon during the open season for spearing sturgeon shall exhibit the sturgeon, with the person's sturgeon tag attached as required by s. 29.148, Stats., to a warden or other authorized department personnel at an official sturgeon registration station established for that purpose. Sturgeon shall be exhibited at a sturgeon registration station in a county adjacent to the waters where speared not later than 7:00 p.m. on the day speared. Upon approval by the officer, the officer shall attach a special tag to each sturgeon indicating that it has been inspected and recorded and the tag shall remain attached and locked to the sturgeon until the carcass is finally consumed.

(b) 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 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.

2. Sturgeon tags shall be available in each year prior to the open season. Persons may obtain no more than one tag unless fishing Michigan boundary waters in which case 2 tags may be obtained.

(c) It shall be unlawful for any person to transport any sturgeon in or on any motor-driven vehicle from the time such sturgeon is taken to the time it is lawfully registered pursuant to par. (a) unless the sturgeon is carried openly exposed and in such manner so that the sturgeon tag attached to the sturgeon cannot be handled or manipulated by any occupant of the vehicle.

(3) A closed season is established for the taking, catching, or killing of fish of any variety or fishing for fish from December 1 to, but not including, the first Saturday in May of the next year, on all waters commonly known as the Chippewa flowage and that part of the Chippewa river in the following described area, Sawyer county:

Township 39 north, range 6 west

Sections 1, 2 and 3

Township 39 north, range 7 west

Sections 1, 2, 3, 4, 6, 7, 9 and 10

Township 39 north, range 8 west

Sections 1 and 12

Township 40 north, range 6 west

Sections 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 33, 34, 35 and 36

Township 40 north, range 7 west

Sections 1, 2, 5, 6, 7, 8, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 33, 34, 35 and 36

Township 40 north, range 8 west

Sections 13, 24, 25, 26, 35 and 36

(4) In those waters for which a permit for treatment with toxicant has been issued, the department of natural resources may direct that all species of fish of any size may be taken by dip nets, minnow seines and spears with no bag or possession limit from the date of issuance of said permit until the commencement of treatment and such open season shall be put into effect by posting a notice thereof on or in the vicinity of the waters affected and by publication in one or more newspapers having wide circulation in the area affected.

History: 1-2-56; am. (1) (intro. par), (1) (a), (1) (f) 2. and 3., (1) (q) 1. and 4. and (3), cr. (1) (e) 1. and (1) (f) 1. a. and 2. a., Register, January, 1975, No. 229, eff. 2-1-75. am. (1) (a), (c), (d), (f) 1. and 2. and (q) 1. Register, November, 1975, No. 239, eff. 12-1-75; emerg. am. (1) (q) 2. eff. 1-12-76; am. (1) (a), (d), (e), (f) and (p), Register, December, 1976, No. 252, eff. 1-1-77; am. (1) (a) 3, (1) (f) 3 and (3), r. (1) (f) 1c, Register, December, 1977, No. 264, eff. 1-1-78; r. (1) (a) 1. and (d) 2., am. (1) (d) 1., (1) (f) 1. f. and (1) (f) 3., Register, December, 1978, No. 276, eff. 1-1-79; am. (1) (c), (f) 2. and 3. and (p) 1., Register, December, 1979, No. 288, eff. 1-1-80; emerg. am. (1) (f) 1. a., eff. 4-10-80; am. (1) (f) 1. a., Register, October, 1980, No. 298, eff. 11-1-80; am. (1) (intro.), (f) 1. and 3., (q) 2., cr. (1) (f) 5., Register, December, 1980, No. 300, eff. 1-1-81; am. (1) (a) 3., (1) (f) 1. a., d. and 2., renum. (1) (f) 1. f. to be (1) (f) 1. g., cr. (1) (f) 1. f., Register, December, 1981, No. 312, eff. 1-1-82; am. (1) (q) 2., Register, January, 1982, No. 313, eff. 2-1-82; cr. (1) (a) 1. and (1) (e) 2., Register, March, 1982, No. 315, eff. 4-1-82; am. (1) (e) (intro.), (f) 1. intro. and a., (1) (f) 3., (1) (g) and (3), renum. (2) (b) to be (2) (c), cr. (2) (b) and (1) (e) 3., Register, December, 1982, No. 324, eff. 1-1-83; am. (1) (a) 1., (1) (e) 2., r. and recr. (1) (k), r. (1) (e) 3., Register, April, 1983, No. 328, eff. 5-1-83; am. (1) (intro.), (a) 1. and (2) (b) 1., renum. (1) (a) 4. to be (1) (a) 5., r. and recr. (1) (c), (e) and (f), Register, December, 1983, No. 336, eff. 1-1-84; renum. (1) (a) 4. to be (1) (a) 6., (1) (f) 4. to 6. to be 5. to 7., cr. (1) (a) 4. and 5. and (1) (f) 4., am. (1) (f) 7. intro. and a. and (1) (k), Register, December, 1984, No. 348, eff. 1-1-85; renum. (1) (a) 7., (c) 3. and (d) 4. to be (1) (a) 8., (c) 4. and (d) 5., cr. (1) (a) 7., (c) 3. and (d) 4., Register, September, 1985, No. 357, eff. 1-1-86; am. (1) (a) 4. and (q) 2.a., cr. (1) (d) 2., (g) 1. and (5), r. and recr. (1) (f) and r. (1) (u), Register, December, 1985, No. 360, eff. 1-1-86; am. (2) (a), Register, December, 1986, No. 372, eff. 1-1-87; cr. (1) (g) 2., Register, April, 1987, No. 376, eff. 5-1-87; renum. (1) (e) 3. and 4. to be 4. and 5., cr. (1) (e) 3., Register, May, 1987, No. 377, eff. 6-1-87; am. (1) (a) 1. c. and (q) 1. a., renum. (1) (a) 7., (c) 3. and 4. and (d) 4. and 5. to be (1) (a) 7. c., (c) 3. c., 5. (d) 4. c. and 6., cr. (1) (a) 1. d., 7. a. and b., (c) 3. a. and b., 4., (d) 4. a. and b., and 5., Register, December, 1987, No. 384, eff. 1-1-88; am. (1) (a) 6., (e) 4. and 5., r. (1) (c) 1., renum. (1) (c) 2. to 5. to be 1. to 4., r. and recr. (1) (f) 2. and 3., Register, July, 1988, No. 391, eff. 8-1-88; emerg. cr. (1) (c) 3m., eff. 9-6-88; r. (1) (a) 1. a. and 2., r. and recr. (1) (a) 8. and (f) 4., cr. (1) (a) 9., Register, November, 1988, No. 395, eff. 12-1-88; emerg. renum. (1) (c) 4., (d) 6., (e) 4. and 5., cr. (1) (c) 4., (d) 6., (e) 4. and 5., eff. 4-22-89; emerg. am. (1) (c) 3., renum. (1) (c) 5., cr. (1) (c) 5., eff. 5-5-89; am. (1) (a) 3. and (d) 5., renum. (1) (a) 8. and 9. to be (1) (a) 9. and 10., cr. (1) (a) 8., Register, June, 1989, No. 402, eff. 7-1-89; am. (1) (c) 3., renum. (1) (c) 4. to be 5., cr. (1) (c) 4., Register, September, 1989, No. 405, eff. 10-1-89.

Note: For a complete history of NR 20.03 see the history note for NR 20.03 as it appeared in the October, 1973 Administrative Register.

NR 20.037 Modifications in daily bag limit and minimum size limit in response to tribal harvest. (1) **ADJUSTMENT.** In order to prevent a total harvest of more than 35% of the adult walleye population or 27% of the adult muskellunge population, the secretary may lower the daily bag

limit on walleye and increase the minimum size limit for muskellunge in specific waters in response to the harvest goals of the Chippewa bands for their spear, net or trap fisheries. The adjusted daily bag and size limits shall be in effect until March 1 of the year following the tribal harvest. The safe harvest levels on individual waters shall be determined by the department.

(a) *Walleyes*. The daily bag limit will be reduced when the department is notified by the Chippewa bands of their harvest goals on individual waters. The extent of the reduction depends upon the percent of the safe harvest they intend to take and the age of the population estimate used to determine the safe harvest or if a regression model was used to determine the safe harvest. The daily bag limits to be used with the different percentages and for various basis of determining the safe harvest are as follows:

Reduced daily bag limits for walleye angling

Daily bag limit	% of safe harvest to be speared, trapped or netted		
	current pop. est.	pop. est. made 1-2 yrs. ago	pop. est. made 3 yrs. ago or more or regression model.
4	1-7	1-14	1-20
3	8-18	15-39	21-54
2	19-36	40-76	55-84
1	37-68	77-94	85-94
0	69 or more	95 or more	95 or more

(b) *Muskellunge*. The minimum size limit will be increased when the department is notified by the Chippewa bands that their harvest goal on an individual water is 60% or more of the safe harvest. The minimum size limits to be used with different percentages of the safe harvest are as follows:

Increased minimum size limits for muskellunge angling

% of safe harvest to be speared, trapped or netted by tribes	Minimum size limit
60-94	45 inches
95 or more	55 inches

(2) **READJUSTMENT**. If the Chippewa bands inform the department that they have completed harvesting and their goal has not been reached, the secretary may raise the daily bag limit or reduce the minimum size limit to the limit specified as appropriate using the percent of the safe harvest level expected to be harvested as indicated in sub. (1). If a new population estimate is made, the safe harvest level shall be changed accordingly and the daily bag limit or minimum size limit shall be adjusted according to the percentage of the new safe harvest level that is expected to be harvested as indicated in sub. (1). The readjusted daily bag and size limits shall be in effect until March 1 of the year following the tribal harvest.

(3) **BAG AND POSSESSION LIMITS**. (a) Reduced daily bag limits calculated pursuant to this section are individual lake limits and may be combined, but no person may exceed a total daily bag limit of 5 walleyes.

(b) While fishing no person may possess fish on any water in excess of the bag limit or under the size limit for that water.

governing fish and fishing as set forth in this chapter shall remain in full force and effect:

8. Calumet county-Winnebago
11. Columbia county-Columbia
13. Dane county-Koshkonong
14. Dodge county-Beaver Dam, Lost and Sinnissippi
17. Dunn county-Dunville bottoms
20. Fond du Lac county-Mullet and Winnebago
24. Green Lake county-Big Green, Maria and Puckaway
28. Jefferson county-Bean, Goose, Hahns, Koshkonong, Red Cedar and Mud (at Koshkonong)
39. Marquette county-Buffalo
50. Portage county-Bass and Pleasant
54. Rock county-Koshkonong
60. Sheboygan county-Sheboygan marsh
69. Waupaca county-Campbell, Crystal, Cynco (Rice), Hatch, Kinney, Partridge, Partridge Crop, Silver, and White
70. Waushara county-Fish (at Wautoma), Beans, Pine (at Hancock), Poygan and Big Twin
71. Winnebago county-Butte des Morts, Little Butte des Morts, Poygan, and Winneconne, and Winnebago

(am) SPECIAL WATERS-RIVERS AND STREAMS. There shall be no closed season for hook and line fishing for any species of fish except muskellunge, sturgeon and trout in the following described rivers, streams, and impoundments thereon; all bag limits, minimum size limits and other regulations governing fish and fishing as set forth in this chapter shall remain in full force and effect:

1. Baraboo river in Sauk and Columbia counties.
2. Black river including sloughs and bayous from the dam at Black River Falls in Jackson county downstream to its confluence with the Mississippi river.
3. Chippewa river including sloughs, bayous and flowages from the Holcombe dam in Chippewa county downstream to the Burlington Northern railroad bridge in Buffalo and Pepin counties, and streams flowing into this part of the Chippewa river from their mouths up to the first highway or railroad bridge.
 - a. Yellow river from Lake Wissota upstream to the Suetlik dam at Cadott in Chippewa county.
 4. Eau Claire river including sloughs and bayous in Eau Claire county from the Altoona dam downstream to its confluence with the Chippewa river.

a. Eau Galle river beginning at the Lake Eau Galle dam in Dunn county downstream to its confluence with the Chippewa river, Pepin county.

5. Embarrass river beginning at the dam at Pella in Shawano county downstream to the Wolf river in Outagamie county.

6. Fond du Lac river within the city limits of Fond du Lac in Fond du Lac county.

7. Fox river downstream from the westerly crossing of highway #33 at Portage in Columbia county and in Marquette, Green Lake, Waushara, Winnebago and Outagamie counties downstream to the dam at De Pere in Brown county.

a. Puckyan river in Green Lake county.

8. Fox river in Kenosha county and upstream in Racine county to the Waterford dam.

9. Grand river from Fairwater in Fond du Lac county downstream to the Fox river in Marquette county.

10. La Crosse river including Lake Neshonoc sloughs and bayous from the Perch lake dam at Sparta downstream to the Mississippi river.

11. Lemonweir river including all connecting flowages, bays, sloughs and bayous in Juneau and Monroe counties and the East Fork Lemonweir upstream to the highway #173 bridge and the South Fork Lemonweir upstream to the Tomah dam.

12. Little Wolf river in Waupaca county beginning at the dam at Manawa downstream to the Wolf river.

13. Pecatonica river in Iowa, Lafayette and Green counties.

14. Pine river in Waushara county beginning at the dam at Poysippi downstream to Lake Poygan.

15. Pumpkinseed creek in Winnebago county from county trunk "D" bridge downstream to Lake Poygan.

16. Red Cedar river including all connecting sloughs and bayous in Dunn county from its confluence with the Chippewa river to the Lake Menomin Northern States Power Dam.

17. Rock river waters.

a. Rock river in Fond du Lac, Dodge, Jefferson and Rock counties and all waters in the Horicon marsh.

b. Crawfish river in Columbia, Dodge and Jefferson counties.

c. Beaver Dam river beginning at the dam in the city of Beaver Dam in Dodge county downstream to the Crawfish river.

d. Scuppernong river beginning at the dam at Palmyra in Jefferson county downstream to the Bark river.

e. Bark river beginning at the dam at Hebron in Jefferson county downstream to the Rock river.

f. Yahara river beginning at the dam at Fulton in Rock county downstream to the Rock river.

g. Busseyville creek in Dane and Jefferson counties beginning at the Rockdale dam downstream to Lake Koshkonong.

h. Waterloo (Maunasha) creek beginning at the dam (Malthouse) at Waterloo in Jefferson county downstream to its confluence with the Crawfish river, Dodge county.

18. Rubicon river in Dodge county.

19. Shioe river in Outagamie county.

20. Waupaca river in Waupaca county beginning at the dam at Weyauwega downstream to the Wolf river.

21. White river below dam at Burlington to Fox river in Racine county.

22. Wildcat river in Dodge county.

23. Willow river in Waushara county beginning at the dam at Auroraville downstream to Lake Poygan.

24. Wisconsin river including all sloughs, bayous and flowages from the St. Regis dam in Rhinelander, Oneida county, downstream to the Burlington Northern railroad bridge in Crawford and Grant counties and streams in Columbia county flowing into the Wisconsin river from their mouths upstream to the first highway bridge, except the Baraboo river which has the year round season for its entire length.

25. Wolf river in Winnebago, Waupaca and Outagamie counties and in Shawano county upstream to the dam in the city of Shawano.

26. Yellow river including all sloughs, bayous and flowages from the highway 54 dam at Dexterville, Wood county, downstream to its confluence with the Castle Rock flowage in Juneau county.

27. Yellowstone river from the dam downstream in Lafayette county.

(b) The department shall open the season for fishing with dip nets in any waters when it finds after scientific investigation and study that the fish populations in such waters are threatened with imminent mortality because of depletion of dissolved oxygen or other adverse habitat conditions under which fish will not survive. During such open season all species of fish may be taken by means of dip nets not more than 3 feet in diameter or 3 feet square, but no person shall have more than 25 pounds and one fish of any species of game fish of any size so taken in his possession. No person shall fish with more than one such dip net. Such open season 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 deemed by the department to be the most feasible way of notifying the public that such open season for fishing with dip nets is in effect. Such open season shall remain in full force and effect only so long as such waters are covered with ice and so long as such posting is continued.

(c) Except for streams posted pursuant to ch. NR 26, there is no closed season for hook and line fishing for any species of fish except lake trout, sturgeon, smallmouth bass and largemouth bass on any stream tributary to Lake Michigan or Green Bay, upstream to the first dam or lake except

the Kewaunee river where this rule applies upstream to the third county highway "C" bridge.

(d) During the period of 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 paragraph applies upstream to the third county hwy. "C" bridge, hook and line fishing is restricted to baits using a hook with a maximum gape size of one-half inch from point to shank. During this 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 river and its tributaries and the Fox river.

(4) EXPERIMENTAL WATERS; PERMITS; REPORTS. (a) It shall be unlawful for any person to take, catch or kill fish or fish for fish in the waters of Nebish, Spruce, Mystery, Escanaba and Palette lakes situated in sections 34 and 35, township 42 north, range 7 east, and sections 1, 2, 3, 10, 11 and 12, township 41 north, range 7 east, Vilas county except under the following conditions:

1. Fishing in such waters is authorized only under permit, which may be secured at the checking stations indicated by posted signs in the immediate area.

2. Fishing in such waters is restricted to hook and line or rod and reel with fishing in Spruce lake further restricted to the use of artificial lures only and except that cisco may be taken in Palette lake by means of dip nets or seines described under s. NR 20.11 (2).

3. The provisions of this section shall apply to such waters throughout the year.

4. All permits are valid only for the date issued and shall be turned in at the checking stations at the termination of each day's fishing activities by the fisher.

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 for the following: In Nebish lake, no person may take smallmouth bass from 9 to 12 inches long and there is a daily bag limit of 5 for smallmouth bass; in Palette lake, no person may take smallmouth bass less than 16 inches long, there is a daily bag limit of 2 for smallmouth bass and there is no open season through 1991 for lake trout; and in Spruce lake, no person may take largemouth bass less than 12 inches long and there is a daily bag limit of 2 for largemouth bass.

6. All fish taken pursuant to this section shall be exhibited to the department or its agents at the checking station for examination, identification and marking.

(5) FLY FISHING ONLY. (a) It shall be unlawful for any person to 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" in the following described waters:

1. *Peshigo river*— In, on or along that part of the Peshigo river lying in Marinette county, beginning at the Johnson Falls dam in the SW 1/4 of the SE 1/4 of section 32, township 33 north, range 19 east and ex-

*Emergency
(4m)
eff. 3/4/89*

tending downstream to the foot of Spring Rapids in the SE 1/4 of the SE 1/4 of section 15, township 32 north, range 19 east, with a daily bag limit of 5 trout and a minimum size limit of 10 inches on trout.

2. *Wolf river*— In, on or along that part of the Wolf river lying in Langlade county, beginning at the railroad trestle in section 19, township 32 north, range 14 east extending downstream to the eastwest quarter line dividing the west half of section 33, township 32 north, range 14 east marked by a road which runs along side the Diercks irrigation pond with a daily bag limit of 5 trout per day and a minimum size limit of 10 inches on trout.

(b) For the purpose of this section, an artificial fly means a single hook dressed with fur, feathers, hair, silk, tinsel, thread or similar material to imitate the natural food of trout.

(6) Except as otherwise specifically provided in this section, the open and closed seasons and other regulations established by this chapter shall apply to the area described herein.

(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) 7. apply.

(e) Paradise Springs creek — In, on or along that part of Paradise Springs creek, Waukesha county, beginning at county hwy. N. bridge in Eagle (section 16, T5N, R17E) and extending upstream 800 feet to the creed origin including the headwater pond. There is a 0 bag limit and the fishing for fun season is from January 1 to September 30.

(f) Plover river - In, on or along that part of the Plover river, Marathon county, in section 15, T29N, R10E, from the hwy. "Z" bridge upstream to the Totten Springs outlet there is a 13 inch minimum size limit on brook trout. Except for the 13 inch minimum size limit on brook trout, the open season, bag limits and size limits established in s. NR 20.03 (1) (f) 3. apply.

(g) Timber Coulee creek - In, on or along that part of Timber Coulee creek, Vernon county, from Olstad road located in NE¼ NW¼, section 3, [2] T14N, R5W, downstream for approximately one mile through the NE¼ NE¼, section 3, T14N, R5W, only trout between 14 and 17 inches may be kept. The daily bag limit is one fish and the open season is from the first Saturday in May at 5:00 a.m. to September 30.

(h) South branch, Oconto river, in, on or along that part of the South branch of the Oconto river, Oconto county, from the Oconto county highway "AA" bridge in section 19, township 30 north, range 17 east downstream to the state highway 32 bridge in section 3, township 29 north, range 17 east. The daily bag limit is 3 trout in aggregate with a 10-inch size limit for brook trout, a 6-inch size limit for rainbow trout and a 13-inch size limit for brown trout. The open season established in s. NR 20.30 (1) (f) 3. applies.

(8) EXPERIMENTAL MANAGED LAKES (ponds). (a) Bayfield and Lincoln counties. 1. The following lakes (ponds) shall be open for trout fishing on even year dates only.

- b. Blaisdell, Bayfield
- c. Mimi, Bayfield
- d. Nymphia, Bayfield
- e. Ament, Lincoln

2. The following lakes (ponds) shall be open for trout fishing on odd year dates only.

- a. Balsam, Bayfield
- b. Beaver, Bayfield
- c. Little Star, Bayfield
- d. Spring, Bayfield
- e. Tahoe, Lincoln

(b) The open and closed seasons, bag limits, and minimum lengths set out in s. NR 20.03 (1) (f) apply to waters listed in this subsection to the extent that this subsection does not provide a different season, bag limit or minimum length.

(c) In McGee lake, Langlade county, there shall be an open season for trout from the first Saturday in May at 5:00 a.m. to and including Sep-

tember 30. A daily bag limit of 2 trout with a no size limit shall be in effect. Fishing is restricted to the use of artificial lures or flies only.

(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.

History: 1-2 56; am. (3) (a) 28.56 and 71, (3) (am) 7, cr. (3) (am) 3 a. 7 a and 24 a and r. (4) (c) 1 and 2, Register, January, 1975, No. 229, eff. 2-1-75; am. (3) (c) 2., 3., and 4., Register, October, 1975, No. 238, eff. 11-1-75; am. (3) (am) (intro.), (c) 2., 3. and 4., r. (4) (c) Register, November, 1975, No. 239, eff. 12-1-75; am. (4), r. (5) (a) 3 and cr. (7) and (8), Register, December, 1976, No. 252, eff. 1-1-77; am. (7) (a) and (b), Register, March, 1977, No. 255, eff. 4-1-77; am. (3) (c) 2 to 4, Register, December, 1977, No. 264, eff. 2-1-78; am. (3) (a) 69., (am) 3. and 24., (b), (4) (a) 5., Register, December, 1978, No. 276, eff. 1-1-79; r. (3) (c) 4.1, cr. (8) (c) and am. (3) (c) 4.b., Register, December, 1979, No. 288, eff. 1-1-80; emerg. cr. (7) (e), eff. 4-1-80; cr. (7) (e), Register, October, 1980, No. 298, eff. 11-1-80; am. (7) (e) and r. (8) (a) 1. a., Register, December, 1980, No. 300, eff. 1-1-81; reprinted to correct error, Register, April, 1981, No. 304; am (2) (c) 4. e., Register, August, 1981, No. 308, eff. 9-1-81; am. (3) (a) 14., (3) (c) 4. d., (4) (a) 2. and 5., Register, December, 1981, No. 312, eff. 1-1-82; am. (3) (c) 3. and 4. intro., b., d. and f., r. and recr. (7) (e), renum. (8) to be (9), cr. (8), Register, December, 1982, No. 324, eff. 1-1-83; renum. (3) (c) 1. and 2. to be (3) (c) and (d) and am., renum. (3) (c) 3. and 4. to be (3) (d) 1. and 2., renum. (3) (c) 4. j. to be 2.i, Register, April, 1983, No. 328, eff. 5-1-83; am. (3) (d) 1. and 2. intro. and h., (4) (a) 5., r. (3) (d) 2.a., r. and recr. (7) and (8), renum. (9) to be (8) and am. (8) (b), cr. (8) (d), Register, December, 1983, No. 336, eff. 1-1-84; am. (3) (d) 2. e., Register, September, 1984, No. 345, eff. 10-1-84; am. (3) (d) 2. intro. (4) (a) 2. and 5., (7) (d) and (8) (b), cr. (7) (e), Register, December, 1984, No. 348, eff. 1-1-85; r. (3) (d) 2. i., Register, September, 1985, No. 357, eff. 10-1-85; cr. (7) (f) and (g), am. (8) (a), (b) and (c), Register, December, 1985, No. 360, eff. 1-1-86; renum. (3) (am) 26. to be 27., cr. (3) (a) 11, and (3) (am) 26., r. and recr. (3) (am) 3. and 24., Register, November, 1986, No. 371, eff. 12-1-86; am. (4) (a) 5., Register, April, 1987, No. 376, eff. 5-1-87; r. and recr. (3) (d), Register, June, 1987, No. 378, eff. 7-1-87; r. (3) (a) 56., am. (3) (am) 13., cr. (7) (h), Register, December, 1987, No. 384, eff. 1-1-88; am. (3) (c), Register, July, 1988, No. 391, eff. 8-1-88; r. and recr. (4) (a) 5., Register, June, 1989, No. 402, eff. 7-1-89.

Note: For a complete history of NR 20.04 see the history note for NR 20.04 as it appeared in the December, 1974 Administrative Register.

NR 20.06 Prohibited fishing under particular conditions. (1) (a) *I Waters and methods.* No person shall take, capture, or kill fish of any variety or fish for fish during the closed season for trout in streams and creeks containing trout except that rough fish may be taken by hand.

(b) *Trolling.* No person may fish in the inland waters of the state 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 or from any sailboat when in motion; or by means of shutting or drawing off water for that purpose. Casting and immediate retrieval of a bait or lure while positioning a boat by means of an electric motor, where motors are permitted, is not trolling. The restrictions in this paragraph do not apply to the waters of Barron, Bayfield, Burnett, Douglas, Polk, Racine, Rusk, Taylor, Washburn and Waukesha counties, the Wisconsin river including sloughs, bayous and flowages from county trunk A east of Tomahawk, Lincoln county, downstream, except Lake Mohawksin, the Chippewa river including sloughs, bayous and flowages up to the flowing portion of all tributary streams from the Holcombe flowage, Chippewa county, downstream, the Fox river from Buffalo lake downstream to the DePere dam and the following named lakes and rivers including their flowages and sloughs:

1. Adams county—Mason

2. Ashland county—Kakagon
9. Chippewa county—Chain; Holcombe flowage; Long 32-8
10. Clark county—Arbutus
13. Dane county—Crystal; Kegonsa; Koshkonong; Mendota; Monona; Waubesa
14. Dodge county—Beaver Dam; Fox; Sinnissippi
15. Door county—Clarks; Kangaroo
17. Dunn county—Menomin; Tainter
18. Eau Claire county—Altoona; Big Dells pond; Eau Claire
19. Florence county—Halsey; Twin Falls flowage
21. Forest county—Butternut; Franklin; Lucerne; Metonga; Pickerel; Pine; Wabicon
24. Green Lake county—Big Green; Maria; Puckaway
27. Jackson county—Arbutus
28. Jefferson county—Koshkonong; Rock
29. Juneau county—Kilburn flowage
30. Kenosha county—Elizabeth
32. La Crosse county—Neshonoc
34. Langlade county—Post (Lower); Post (Upper); Rolling Stone
35. Lincoln county—Spirit R. flowage
37. Marathon county—Big Eau Pleine reservoir upstream to the first state hwy. 153 bridge
38. Marinette county—Chalk Hills flowage; High Falls reservoir; Noquebay
39. Marquette county—Buffalo
43. Oconto county—Christy; Machickanee (Stiles pond); White Potato
44. Oneida county—Columbus; Rainbow flowage; Sugar Camp; Thunder; Willow flowage
50. Portage county—Little Eau Pleine flowage upstream to the first county hwy. 'O' bridge
51. Price county—Pike; Round
54. Rock county—Koshkonong
56. St. Croix county—Cedar
57. Sauk county—Redstone
58. Sawyer county—Chetac; Grindstone; Lac Court Oreilles; Nelson; Round; Whitefish; Windigo

- 59. Shawano county—Shawano
- 60. Sheboygan county—Sheboygan marsh
- 65. Walworth county—Beulah; Como; Delavan; Geneva; Whitewater
- 67. Washington county—Big Cedar; Pike
- 69. Waupaca county—Partridge; White

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70. Waushara county—Poygan

71. Winnebago county—Butte des Morts; Little Butte des Morts; Poygan; Rush; Winnebago; Winneconne

(c) *Fishing near dams.* It shall be unlawful for any person to take, capture, or kill fish of any variety or fish for fish by means other than hook or line within 200 feet of any fishway, lock or dam in the inland waters at any time.

History: 1-2-56; am. (2), Register, December, 1956, No. 12, eff. 1-1-57; am. (1) (c) and (2), Register, December, 1957, No. 24, eff. 1-1-58; am. (1) (b), Register, April, 1958, No. 28, eff. 5-1-58; am. (2), Register, August, 1958, No. 32, eff. 9-1-58; am. (1) (b), Register, October, 1958, No. 34, eff. 1-1-59; am. (2), Register, August, 1959, No. 44, eff. 9-1-59; am. (1) (b), r. and recr. (2), Register, December, 1959, No. 48, eff. 1-1-60; am. (1) (b) and (2), Register, December, 1960, No. 60, eff. 1-1-61; am. (2), Register, August, 1961, No. 68, eff. 9-1-61; am. (1) (b), Register, August, 1961, No. 68, eff. 9-1-61; am. (1) (b); cr. (1) (d) and (e), Register, December, 1961, No. 72, eff. 1-1-62; am. (1) (e), Register, July, 1962, No. 79, eff. 8-1-62; am. (1) (b), Register, April, 1963, No. 88, eff. 5-1-63; am. (1) (b); r. (2), Register, December, 1964, No. 108, eff. 1-1-65; am. (1) (a) and (c); r. (1) (d) and (e), Register, December, 1966, No. 132, eff. 1-1-67; r. and recr. (1) (b), Register, October, 1969, No. 166, eff. 1-1-70; am. (1) (b), Register, June, 1970, No. 174, eff. 7-1-70; renum. WCD 20.06 to be NR 20.06, Register, November, 1970, No. 179, eff. 1-1-71; am. (1) (b), Register, October, 1973, No. 214, eff. 1-1-74; am. (1) (b), Register, January, 1975, No. 229, eff. 2-1-75; am. (1) (b) (intro.), r. (1) (b) 61 and 68, Register, November, 1975, No. 239, eff. 12-1-75; am. (1) (b) (intro.), Register, December, 1976, No. 252, eff. 1-1-77; am. (1) (b), Register, December, 1978, No. 276, eff. 1-1-79; printing error corrected, Register, July, 1979; am. (1) (b) 21., 24. and 64., Register, December, 1980, No. 300, eff. 1-1-81; am. (1) (b) 35., 44. and 58., Register, December, 1982, No. 324, eff. 1-1-83; am. (1) (b) 37., 50. and 64., Register, December, 1983, No. 336, eff. 1-1-84; am. (1) (b) (intro.), r. (1) (b) 42. and 64., Register, November, 1986, No. 371, eff. 12-1-86; am. (1) (b) (intro.), Register, July, 1988, No. 391, eff. 8-1-88.

NR 20.07 Prohibited methods of fishing. (1) Except as otherwise expressly provided by the Wisconsin Statutes or by department order:

(a) No person may take, catch, or kill fish or fish for fish of any kind with more than 3 hooks, baits or lures.

(b) No person may fish with or leave any fish line or lines unattended in any waters; no person may take any fish by snagging or fouling in any manner unless otherwise specifically provided. Any fish illegally taken other than in the mouth by snagging or fouling shall be immediately returned to the water. No person may fish with the aid or use of any firearm, or pellet gun in any manner or by any means other than angling or trolling. No person may use a telemetry device attached or implanted in fish to aid in fishing. Dip nets (landing nets) 3 feet or less in diameter and a gaff may be used for the purpose of landing fish legally hooked.

(c) No person shall use as bait or possess or release any minnows or other fish except trout on any waters or shores of such waters which have been chemically treated for trout management and which are so identified and designated by signs posted on the shores thereof by the department of natural resources.

(d) No person shall place minnow traps in waters which have been chemically treated to reestablish a trout fishery.

(e) No person shall use minnows as bait while fishing through the ice in Green Lake, Green Lake county except where the lake is 50 feet or less in depth.

(f) Any fish taken into actual possession, unless released immediately, shall be included as part of the daily bag limit.

(2) (a) No person may, except as expressly authorized, possess or control on any of the inland or outlying waters or shores of inland or outlying waters at any time any gun, bow and arrow, spear, net or similar device that might be used for the purpose of taking, catching or killing fish.

(b) No person other than the licensee or licensee's designee or department agent may raise, remove, or otherwise tamper with commercial gear set in Wisconsin inland and boundary waters.

(3) It shall be lawful to take rough fish by hand at any time in all waters.

(4) (a) No person may as prescribed in sub. (2) take, catch or kill fish in the counties of Ashland (except in the Bad river as provided in par. (e)), Bayfield, Iron, Oconto (in that portion of the county west of highway #141 only), Oneida, Pierce, Price, Sawyer and Vilas counties, except that rough fish may be taken sunrise to sunset with bow and arrow from the Saturday nearest May 20 to July 1 each year in Iron and Sawyer counties.

(b) It shall be lawful to take rough fish by means of spear or spear fishing by the method commonly known as skin diving or bow and arrow from April 21 to March 1, inclusive, sunrise to sunset in the inland waters or from shores of inland waters of Brown, Buffalo, Calumet (except during a sturgeon spearing season in any specified water), Clark, Door, Dunn, Eau Claire, Florence, Fond du Lac (except during a sturgeon spearing season in any specified water), Forest, Green Lake, Jackson, Juneau, Kewaunee, La Crosse, Langlade, Lincoln, Manitowoc, Marathon (except that spearing is prohibited in the Big Eau Pleine flowage from the dam upstream to highway 97 from November 1 to April 20), Marinette, Monroe, Oconto (in that portion of the county east of highway 141 only), Outagamie (except during the sturgeon spearing season in any specified water), Pepin, Portage, St. Croix, Shawano, Trempealeau, Winnebago (except during a sturgeon spearing season in any specified water), and Wood.

(c) It shall be lawful for any person to take rough fish by means of spears or by spear fishing by the method commonly known as skin diving or bow and arrow at any time of the year, sunrise to sunset, in the inland waters or from shores of inland waters of the counties of Adams, Columbia, Crawford, Dane, Dodge, Grant, Green, Iowa, Jefferson, Kenosha, Lafayette, Marquette, Milwaukee, Ozaukee, Racine, Richland, Rock, Sauk (except it is illegal to spear fish while skin diving or with bow and arrow in Devil's lake), Sheboygan, Vernon, Walworth, Washington, Waukesha, Waupaca and Waushara (except during a sturgeon spearing season in any specified water).

(d) It is lawful to take white bass, yellow bass (striped), rock bass, crappie, bluegill, perch, pumpkinseed (sunfish) and bullheads with the use of spears and spearguns by skin diving and scuba diving in all waters where spearing for rough fish is permitted subject to the same seasons prescribed in sub. (4)(a), (b), (c) and (e) and subject to bag limits prescribed in s. NR 20.03.

(e) It shall be lawful for any person to take rough fish by means of spears or by spear fishing by the method commonly known as skin diving or bow and arrow, sunrise to sunset, from the Saturday nearest May 20 to November 1, inclusive, on the inland waters or from shores of inland

waters in the counties of Burnett, Chippewa, Douglas, Rusk, Taylor, Washburn, Polk and Barron. Burbot (but no other species) may also be speared from sunset to sunrise in the Amnicon and Nemadji rivers and the Black river upstream to the Minneapolis, St. Paul and Sault Ste. Marie railroad bridge from December 15 to January 31, inclusive, in Douglas county and the Bad river, Ashland county.

(5) (a) The possession or use of a gun, bow and arrow, spear or similar device for the taking, catching or killing of fish in or on any designated trout stream is prohibited at all times except as indicated in pars. (b) and (c).

(b) Suckers and carp may be speared, sunrise to sunset only, from Saturday nearest March 15 to, but not including the Saturday nearest May 1, in the following trout waters in Waushara county:

1. White river below the junction of the main and west branches in SE $\frac{1}{4}$ NE $\frac{1}{4}$, sec. 10, township 18 north, range 10 east, town of Dakota, downstream to the White river flowage in sec. 13 of Dakota township.

2. Willow creek between the point where the two branches of said stream unite in section 12, township 18 north, range 11 east, town of Marion and the dam in Auroraville.

3. The Pine river between the point where the said stream crosses the highway in section 3, township 19 north, range 12 east, town of Leon to the dam in Poysippi.

(7) It shall be unlawful to use goldfish or alewife in any form or manner for bait or to have goldfish or alewife in possession on the inland, boundary or Lake Superior waters of the state. Alewife but not goldfish may be possessed and used for bait in Lake Michigan waters.

(8) No person shall, except as otherwise expressly provided, set, place, use, operate or have in possession or under control any snag line or snag pole, snaghook or parts thereof or cluster of fish hooks that might be attached to same designed to be placed in or drawn through the water for the purpose of catching or drawing such hooks into the body of fish or used for that purpose; except that carp, but no other species or variety fish, may be taken by means of a gaff hook through the ice, sunrise to sunset, in the outlying and reserve water of Lake Michigan and Green Bay.

(9) No person shall use or have in his possession or under his control or maintenance in any of the inland waters of this state, any live box, crib or similar device except receptacles carried by or with the fisherman to contain his catch while fishing, that might be used for the keeping of fish unless he shall have securely attached thereto in such a manner as to be readable and legible at all times a tag of permanent material bearing the name and address of the owner or user.

(10) No person shall fish for trout in inland waters without a trout stamp of current issue with the signature of the licensee written in ink across its face and firmly affixed by its own adhesive to the back of a valid fishing or sportsman's license.

History: 1-2-56; am. (1) (d), (4) (a), (b) (c) and (e) and (7), cr. (1) (ee) and (g), Register, November, 1975, No. 239, eff. 12-1-75; emerg. am. (2), renum. (3) (a), to (e) to be (4) (a) to (e) and am. eff. 4-30-76; r. (1) (ff) and (5) (b) 1, r. and recr. (2) and (3), Register, December, 1976, No. 252, eff. 1-1-77; am. (1) (c), (4) (b) and (e), (5) (a), Register, December, 1977, No. 264, eff.

1-1-78; cr. (10), Register, June, 1978, No. 270, eff. 7-1-78; r. and recr. (1) (g), Register, December, 1978, No. 276, eff. 1-1-79; am. (1) (a) and (4) (b) and (c) and cr. (5) (b) 1., Register, December, 1979, No. 288, eff. 1-1-80; am. (1) (a), Register, December, 1980, No. 300, eff. 1-1-81; renum. (2) to be (2) (a) and cr. (2) (b), Register, December, 1981, No. 312, eff. 1-1-82; cr. (11), Register, December, 1982, No. 324, eff. 1-1-83; r. (5) (c) and (11), Register, June, 1984, No. 342, eff. 7-1-84; r. and recr. (1) (d), am. (4) (a), Register, December, 1984, No. 348, eff. 1-1-85; r. and recr. (1) (a), r. (1) (b) and (c), renum. (1) (d) to (g) to be (b) to (f), am. (2) (a), Register, December, 1985, No. 360, eff. 1-1-86; am. (1) (a), Register, March, 1986, No. 363, eff. 4-1-86.

Note: For a complete history of NR 20.07, see the history as it appeared in January, 1975, Administrative Register.

NR 20.09 Dip nets and seines in inland and outlying waters. (1) **GENERAL RESTRICTIONS.** Except as provided in this section and in ss. NR 20.04, 20.10 and 20.11 no person shall set, use or operate any dip net in any of the inland or outlying waters of the state for taking, catching or killing any variety of fish. No person, while operating a dip net for rough fish, shall fish for fish in any other manner at that time and no person shall fish with hook and line from any boat that has a dip net attached. Only one dip net per person is permitted for the taking of smelt and minnows. Such dip net must be attended at all times while in use and such nets shall only be raised and lowered vertically when fishing.

(a) It is unlawful to sell, barter or trade in any manner any suckers taken pursuant to this section.

(2) **USE OF DIP NETS.** (a) *Definition.* Dip nets used for taking, catching, or killing rough fish shall be defined as follows: a piece of netting suspended from a round or square frame not exceeding 8 feet in diameter or 8 feet square.

(b) *Marinette and Oconto counties.* Not more than one dip net per person may be used at any time for the taking, catching, or killing of rough fish in Marinette and Oconto counties in all the streams and rivers flowing into Green Bay from a point 200 feet upstream from the mouth, and extending a distance of 15 miles inland in a straight line.

(c) *Brown, Door, Kenosha, Kewaunee, Manitowoc, Milwaukee, Ozaukee, Racine and Sheboygan counties.* One dip net per person may be used all year for the taking, catching and killing of rough fish in all the nontrout designated streams and rivers, excluding lakes, flowing into Lake Michigan and Green Bay and in the counties of Brown, Door, Kenosha, Kewaunee, Manitowoc, Milwaukee, Ozaukee, Racine and Sheboygan in that part of each such stream or river beginning at the mouth and extending upstream to a point 500 feet below the first dam located on such stream or river.

(d) *Fond du Lac county.* One dip net per person may be used, sunrise to sunset, from May 1 to March 15, for taking, catching or killing rough fish, except suckers, in that part of the Fond du Lac river in Fond du Lac county beginning at its mouth and extending upstream three miles.

(e) *Dodge and Jefferson counties.* One dip net per person may be used sunrise to sunset for the taking, catching or killing of rough fish all year in the following waters:

1. In the Rock river in Dodge, Jefferson and Rock counties.
2. In the Crawfish river in Jefferson county.
3. In Beaver Dam lake in Dodge county.

4. In the Beaver Dam, Crawfish and Wildcat rivers in Dodge county.

5. In the Bark river and tributaries to Hebron dam and in creeks and tributaries of the Rock and Crawfish rivers in Jefferson county.

(f) *Calumet county.* One dip net per person may be used from April 25 to May 31, both dates inclusive for the removal of rough fish from that part of Lake Winnebago within a distance of 500 feet from the shoreline of Calumet county.

(g) A dip net not exceeding 8 feet in diameter or 8 feet square may be used in all other waters except designated trout streams at any time of the year, sunrise to sunset, for the taking of rough fish with no bag or possession limit.

(3) **SMELT.** (a) Dip nets not exceeding 8 feet in diameter or 8 feet square may be used at any time for the taking, catching or killing of smelt in Lake Michigan and all the streams and rivers flowing into Lake Michigan and the northern and southern parts of Green Bay, in that part of each of such streams beginning at or in the bay or lake and extending upstream to a point 500 feet below the first dam located on any such stream or a distance of 5 miles inland on any of such streams where no dam is located within 5 miles of the mouth.

(b) Dip nets not exceeding 8 feet in diameter or 8 feet square, may be used from April 1 to May 25 for the taking, catching, or killing of smelt and suckers in Lake Superior and all streams flowing into Lake Superior in Bayfield, Ashland and Iron counties and the Brule river in Douglas county from a point beginning at their mouths and extending inland for a distance of one-half mile in a straight line. Zoning does not apply on Bear creek, Bluff creek and Nemadji river, the St. Louis river and the other non-trout streams in Douglas county and in the waters of the Chippewa, Bad, and White rivers in Ashland county not inhabited by trout, or on streams where active sea lamprey control structures are located. The taking of rough fish by dip netting is permitted from April 1 to July 15 below the posted portion of a stream on which such an active lamprey control structure is located.

(c) Seines not more than 75 feet in length and not more than 6 feet in depth may be used from April 1 to May 25 for the taking, catching and killing of smelt and suckers in all the outlying waters except that portion of the Fox river in Brown county upstream from 1,500 feet below the dam in the city of DePere. Seines of this dimension may also be used in St. Louis bay, Superior bay, Allouez bay and from the mouth of the St. Louis river upstream to the north 28th st. landing in Douglas county.

(d) It shall be unlawful for any person to leave dip nets or seines unattended within 25 feet of the edge of waters named in pars. (a), (b) and (c) of this section.

(e) Dip nets not exceeding 8 feet in diameter or 8 feet square may be used for the taking, catching or killing of smelt in Lake Lucerne, Forest county and the Flambeau lake chain, Vilas county, including thoroughfares and tributary streams 200 feet upstream and downstream from the lake basins and Beaver Dam lake west of hwy 63, Barron county. The open and closed seasons shall be at the directive of the district director.

History: 1-2-56; am. (2) (b), (d) and (e), and (3) (b), Register, December, 1957, No. 24, eff. 1-1-58; am. (1) intro. par. and (2) (a), Register, October, 1958, No. 34, eff. 1-1-59, am. (2) (f), Register, December, 1959, No. 48, eff. 1-1-60; am. (2) (c), Register, December 1960, No. 60,

Register, January, 1989, No. 397

eff. 1-1-61; am. (1) intro. par.; (2) (c), (3) (a) and (c), Register, December, 1961, No. 72, eff. 1-1-62; cr. (2) (g), Register, December, 1962, No. 84, eff. 1-1-63; am. (2) (g), Register, December, 1964, No. 108, eff. 1-1-65; r. and recr. (1) (a) and (2) (g), Register, November, 1965, No. 119, eff. 1-1-66; am. (2) (b) and (c), Register, December, 1968, No. 156, eff. 1-1-69; cr. (3) (d), Register, October, 1969, No. 166, eff. 1-1-70; renum. WCD 20.09 to be NR 20.09, am. (1) (intro. par.), Register, November, 1970, No. 170, eff. 1-1-71; am. (1) (e) and (1) (e) 1., Register, November, 1975, No. 239, eff. 12-1-75; am. (1), (2) (b), (c) and (g) and cr. (3) (e), Register, December, 1977, No. 264, eff. 1-1-78; am. (3) (a) and (b), Register, December, 1978, No. 276, eff. 1-1-79; am. (3) (e), Register, December, 1980, No. 300, eff. 1-1-81; am. (3) (c), Register, December, 1984, No. 348, eff. 1-1-85; am. (2) (g), Register, November, 1986, No. 371, eff. 12-1-86.

*amalg. am.
(1) 689.
5/25/89*

NR 20.10 Minnow nets, traps, and seines. (1) **USE LIMITED.** No persons shall set, use, or operate any minnow seine, minnow dip net or minnow traps in any of the inland waters of this state for taking, catching, or killing fish of any variety, other than as specified in this section.

(2) **BAG LIMIT.** It shall be unlawful for any person except licensed bait dealers to take in any waters in any one day more minnows than are specified in sub. (4) (c). The possession and transportation of minnows legally taken is permitted throughout the state.

(3) **INSECT LARVAE.** Except as hereinafter provided, it shall be unlawful for any person to take, gather or collect (or attempt to do so) for the use or sale as bait by himself or others any of the larvae or nymphs of aquatic insects in or from any stream or spring hole tributary thereto inhabited by trout. A licensed fisherman may take such larvae or nymphs from trout streams by hand during the trout season for his immediate personal use as bait in the stream from which taken and no such larvae or nymphs may be carried away from the stream from which taken.

(4) **INLAND WATERS.** (a) Unless a permit has been issued under sub. (5) by the department in accordance with s. 29.30, Stats., only the following gear may be used for the taking of minnows for bait:

1. Minnow seines. Minnow seines may not exceed 35 feet in length and shall contain mesh not to exceed one-half inch stretch measure.

2. Minnow dip nets. Minnow dip nets shall be defined as follows: A piece of netting suspended from a round or square frame not to exceed 8 feet in diameter or 8 feet square.

3. Minnow traps. Minnow traps shall be of a length not greater than 24 inches and of a width not greater than 16 inches square or in diameter with an opening in the throat of the trap not larger than 1½ inches in diameter. The traps shall have securely attached to them a label or tag clearly bearing in the English language the name and address of the operator. All minnow traps shall be raised and the minnows removed from them at least once in every 48 hours from all waters, except department designated trout waters as indicated in department publications or under s. NR 1.02 (7). On designated trout waters, traps shall be raised and emptied every 24 hours during the open season for trout on the water, and during the closed season on such water, as required in the department permit authorizing placement of the trap.

(b) Unless a permit has been issued by the department, no person may use minnow seines or minnow dip nets of any type or description in inland streams or tributary spring holes inhabited by trout. Licensed bait dealers may use no more than a total of 20 minnow traps when removing minnows from one or more trout streams during the open season for trout, unless a permit has been issued. Persons not possessing a bait deal-

ers license may use no more than a total of 3 minnow traps when conducting such removal. During the closed trout season, minnows may not be removed except by licensed bait dealers as authorized by permit.

(c) It shall be unlawful for any person, except bait dealers licensed pursuant to s. 29.137, Stats., to have in possession or under control more than 600 minnows at any time.

(5) PERMITS FOR USE OF NONSTANDARD MINNOW GEAR. A licensed bait dealer may apply to the department on a form provided by the department for a permit to take minnows with minnow seines, minnow dip nets or minnow traps which are otherwise prohibited by this section. Applications shall be submitted to the department district office having jurisdiction over the affected waters.

(a) The department shall issue the permit if it determines that the conditions of this paragraph are met.

1. For waters with public access which is adequate according to s. NR 1.90 (2) (a), the department must find that:

a. The department does not need the minnows for its fish management activities;

b. Removal of the minnows will not cause or substantially contribute to a long-term depletion of the forage base;

c. Threatened or endangered species listed in ch. NR 27 are not known to be present in or near the affected water;

d. Unique or sensitive biological values such as nesting loons or heron rookeries are not present in, on or near the affected water;

e. The use of the minnow seines, minnow dip nets or minnow traps is not likely to hinder or interfere with the exercise of a permit issued earlier in the year to another person for the water; and

f. The use of the minnow seines, minnow dip nets or minnow traps is not likely to hinder or interfere with any other public uses of the water.

2. For waters lacking adequate public access and for waters surrounded by private lands, the department must find that:

a. The requirements of subd. 1.a. to e. are met; and

b. The applicant provided the department with the name, mailing address and telephone number of the person granting the applicant legal access to the water.

(b) Permits issued by the department under this subsection shall:

1. Include the permit holder's name, address and bait dealer's license number,

2. Specify the water where the permit is valid,

3. Describe the minnow seines, minnow dip nets or minnow traps authorized,

4. Include an expiration date of December 31 of the calendar year in which the permit is issued, unless an earlier date is set under par. (c),

5. Prohibit the removal or destruction of vegetation, logs and other habitat features,

6. Require that minnows be transported only in tanks equipped with either an oxygen tank or an adequate aeration system,

7. Require that transport tanks and holding facilities not be loaded beyond their capacity to keep the minnows alive and healthy,

8. Require that all minnows taken under the permit be sold or used only for angling or rearing of fish in department or private fish hatcheries, and

9. Require that all minnows which are not kept for use or sale and all game fish caught by the minnow seines, minnow dip nets or minnow traps be promptly returned unharmed to the water.

(c) The department may require reporting of the permit holder's activities under the permit and may set reasonable permit conditions to insure that the requirements of par. (a) are met.

(d) The department shall act on a complete application for a permit under this subsection within 20 business days after it is received by the appropriate department district office.

(e) No permit holder may cause or allow the violation of any term or condition of a permit issued under this subsection. In addition to any other penalties, if a permit holder is convicted of causing or allowing a violation of any term or condition of a permit, the permit is terminated.

(f) The department may, at any time, revoke or modify a permit issued under this subsection if it determines that the minnow supply is in danger of being depleted in the water for which the permit was issued. A permit revocation or modification shall become effective when it is received by the permit holder or 3 business days after it is mailed to the permit holder at the address shown on the permit, whichever occurs first.

(g) Any person aggrieved by a decision of the department under this subsection may, within 30 days of the mailing of the decision, request a contested-case hearing before the department on the decision under s. 227.42, Stats.

History: 1-2-56; am. (4), Register, December, 1956, No. 12, eff. 1-1-57; am. (2), (4) (a) 3 and (b), Register, December, 1957, No. 24, eff. 1-1-58; am. (4) (a) 2., Register, October, 1958, No. 34, eff. 1-1-59; am. (4) (c), cr. (4) (d), Register, December, 1960, No. 60, eff. 1-1-61; r. and recr. (3), Register, December, 1961, No. 72, eff. 1-1-62; am. (3) and (4) (a) 1., Register, December, 1964, No. 108, eff. 1-1-65; r. and recr. (4) (a) 1., Register, November, 1965, No. 119; eff. 1-1-66; r. (4) (d), Register, December, 1968, No. 156, eff. 1-1-69; renum. from WCD 20.10 to be NR 20.10, Register, November, 1970, No. 179, eff. 1-1-71; am. (4) (a) 2., Register, December, 1977, No. 264, eff. 1-1-78; am. (4) (a) 1. and 2., Register, December, 1978, No. 276, eff. 1-1-79; am. (4) (a) 1. and 2., Register, October, 1979, No. 286, eff. 11-1-79; am. (4) (a) (intro.), Register, December, 1981, No. 312, eff. 1-1-82; r. and recr. (4) (b), Register, August, 1982, No. 320, eff. 9-1-82; am. (4) (a) 3., Register, December, 1982, No. 324, eff. 1-1-83; am. (4) (a) 1., Register, April, 1987, No. 376, eff. 5-1-87; am. (4) (a) (intro.), cr. (5), Register, June, 1987, No. 378, eff. 7-1-87.

NR 20.11 Whitefish and cisco in inland waters. (1) The rules and regulations set forth in this section shall apply to the use of all nets and seines used for taking whitefish and cisco.

(2) Cisco dip nets shall not exceed 8 feet in diameter or 8 feet square and such seines shall not exceed 75 feet in length or 6 feet in depth and with a mesh not greater than 2 inches stretch measure.