



CR 92-32

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

101 South Webster Street
Box 7921
Madison, Wisconsin 53707
TELEPHONE 608-266-2621
TELEFAX 608-267-3579
TDD 608-267-6897

STATE OF WISCONSIN)
)
DEPARTMENT OF NATURAL RESOURCES) ss

RECEIVED
AUG 11 1992
Revisor of Statutes
Bureau

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Bruce B. Braun, Deputy 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. FM-8-92 was duly approved and adopted by this Department on May 28, 1992. 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 here-
unto set my hand and affixed the
official seal of the Department at
the Natural Resources Building in
the City of Madison, this 6th
day of August, 1992.

Bruce B. Braun
Bruce B. Braun, Deputy Secretary

(SEAL)

RECEIVED

AUG 11 1992

Revisor of Statutes
Bureau

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

.....
IN THE MATTER OF amending ss. NR 20.02(1)(e)(3) .
and 20.03(1)(c)(title), (f)4. and (k)(title); .
renumbering ss. NR 20.03(1)(a)10., (c)10., .
(d)8. and (k)2. and 26.09(57)(c); and creating .
ss. NR 20.03(1)(a)10., (c)10., (d)8. and (k)2. .
and 26.05(51)(d) of the Wisconsin Administra- .
tive Code pertaining to sport fishing and fish .
refuges .
.....

FM-8-92

Analysis Prepared by Department of Natural Resources

Statutory authority: ss. 29.174(3), and 227.11(2)(a), Stats.
Statutes interpreted: ss. 29.085 and 29.174(2)(a), Stats.

In this order, SECTION 1 makes the daily bag limit 0 (catch and release) for smallmouth bass on Lake Superior from the first Saturday in May until the Saturday nearest June 20;

SECTIONS 2, 3, 4, 6, 7 and 8 establish continuous open seasons, aggregate daily bag limits of 1 gamefish (largemouth and smallmouth bass; walleye, sauger and hybrids thereof; and northern pike) and 10 panfish (bluegill, crappie, pumpkinseed (sunfish), yellow perch and bullheads) and no minimum size limits for these species on urban waters (Trout in urban waters are already covered by separate rules.);

SECTION 5 increases the minimum size limit for rainbow trout (steelhead) from the current 12 inches to 26 inches on all Lake Superior tributaries, including the Brule river, from their mouths upstream to the first dam or impassable barrier;

SECTION 9 creates a refuge on Round Lake in an area where the department will create a walleye spawning reef; and

SECTION 10 changes the refuge below the Arpin dam on the Chippewa river from a spring refuge to a year-round refuge.

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

Species	Area	Open season	Daily bag limit	Minimum length (in.)
	3. Lake Superior	Second <u>First</u> <u>Saturday</u> <u>in May to</u> <u>March 1</u> <u>Saturday</u> <u>nearest</u> <u>June 20</u>	5 of each <u>None may</u> <u>be kept</u>	12
		<u>Sunday</u> <u>after</u> <u>Saturday</u> <u>nearest</u> <u>June 20</u> <u>to March 1</u>	<u>5 of each</u>	<u>12</u>

SECTION 2. NR 20.03(1)(a)10., (c)10. and (d)8. are renumbered NR 20.03(1)(a)11., (c)11. and (d)9.

SECTION 3. NR 20.03(1)(c)(title) is amended to read:

NR 20.03(1)(c)(title) Walleye, sauger and hybrids thereof.

SECTION 4. NR 20.03(1)(a)10., (c)10. and (d)8. are created to read:

Kind of fish and locality	Open season (both) dates inclusive)	Daily bag limit	Minimum length (inches)
(a) LARGEMOUTH AND SMALLMOUTH BASS			
10. In all urban waters of Kenosha, Racine, Walworth, Milwaukee, Waukesha, Washington, Ozaukee and Sheboygan counties	Continuous	1 in aggregate with walleye, sauger, hybrids thereof and northern pike	No size limit

(c) WALLEYE, SAUGER AND HYBRIDS THEREOF

10. In all urban waters of Kenosha, Racine, Walworth, Milwaukee, Waukesha, Washington, Ozaukee and Sheboygan counties	Continuous	1 in aggregate with largemouth bass, smallmouth bass and northern pike	No size limit
---	------------	--	---------------

(d) NORTHERN PIKE (See also s. NR 20.04)

8. In all urban waters of Kenosha, Racine, Walworth, Milwaukee, Waukesha, Washington, Ozaukee and Sheboygan counties	Continuous	1 in aggregate with largemouth bass, smallmouth bass and walleye, sauger and hybrids thereof	No size limit
--	------------	--	---------------

SECTION 5. NR 20.03(1)(f)4. is amended to read:

Kind of fish and locality	Open season (both dates inclusive)	Daily bag limit	Minimum length (inches)
4. <u>a.</u> Lake Superior tributary streams except Montreal river and waters upstream from the following:	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 26 salmon 12
Ashland county			
Bad river-Copper falls			
Brunsweller river-state hwy. 13			
Marengo river-state hwy. 13			
Potato river-Guerney falls			
White river-White river dam			
Bayfield county			
Iron river-Orienta dam			
Little Sioux river-falls in NE 1/4 of the NE 1/4, sec. 13, T49N, R5W			
Siskewit <u>Siskiwit</u> river-falls in SW 1/4 of the NW 1/4, sec. 35, T51N, R5W <u>R6W</u>			

Douglas county

Amnicon river-Amnicon falls
 Black river-Big Manitou falls
 Middle river-U.S. hwy. 2
 Poplar river-U.S. hwy 2

b. There is a special early and extended open season for trout and salmon in the following county tributary streams.

ASHLAND COUNTY:

Bad river from its mouth upstream to Copper falls; Potato river from its mouth upstream to Guerny falls; White river from its mouth upstream to White River dam; Brunsweller and Marengo rivers 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); ~~Siskewitt~~ Siskiwit river from its mouth upstream to second bridge (T51N, R6W, sec. 35).

DOUGLAS COUNTY:

Brule river from its mouth upstream to the U.S. hwy. 2 bridge crossing; 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

Saturday nearest April 1 to the day before the first Saturday in May and October 1 to November 15, but 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 brook aggregate trout 8 of which brown trout 10 be brown salmon trout exceeding 12 inches and trout 12 only 1 of 26 which may be rainbow trout

~~During the special early and extended open season, fishing in the Brule river, excluding~~

~~5-in brook aggregate trout 8 gate of brown trout 10 only 2 rainbow~~

upstream to the 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.

~~taking smelt with gear specified in NR 20.09(3)(b), is prohibited one-half hour after sunset to one-half hour before sunrise.~~

~~may be trout 12 brown salmon 12 trout exceed- ing 15 inches and only 1 of which may be rainbow trout~~

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.

~~b. 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 brook aggregate trout 8 of which brown trout 10 be brown rainbow trout ex- trout 12 26 ceeding salmon 12 15 inches and only 1 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 Whitteley creek from its mouth upstream to Town Hall road.

SECTION 6. NR 20.03(1)(k)(title) is amended to read:

NR 20.03(1)(k)(title) Bluegill, crappie, pumpkinseed (sunfish), yellow perch, bullheads

SECTION 7. NR 20.03(1)(k)2. is renumbered NR 20.03(1)(k)3.

SECTION 8. NR 20.03(1)(k)2. is created to read:

Kind of fish and locality	Open season (both dates inclusive)	Daily bag limit	Minimum length (inches)
(k) BLUEGILL, CRAPPIE, PUMP-KINSEED (sunfish), YELLOW PERCH, BULLHEADS	Continuous	10 in aggregate	No size limit
2. In all urban waters of Kenosha, Racine, Walworth, Milwaukee, Waukesha, Washington, Ozaukee and Sheboygan counties			

SECTION 9. NR 26.05(51)(d) is created to read:

NR 25.05(51)(d) Round lake. Within 100 feet of the shoreline beginning at the Tucker Lake portage trail, and extending west along the shoreline for 1,300 feet, located in the SE 1/4 of the SE 1/4 of sec. 14, T40N, R3E.

SECTION 10. NR 26.09(57)(c) is renumbered to be NR 26.01(57)(c)

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on May 28, 1992.

The rules contained herein shall take effect on January 1, 1993, pursuant to authority granted by s. 227.22(2)(b), Stats.

Dated at Madison, Wisconsin, August 6, 1992.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

RECEIVED

AUG 11 1992

(SEAL)

Revisor of Statutes
Bureau

By

Carroll D. Besadny
Carroll D. Besadny, Secretary



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

101 South Webster Street
Box 7921
Madison, Wisconsin 53707
TELEPHONE 608-266-2621
TELEFAX 608-267-3579
TDD 608-267-6897

August 6, 1992

Mr. Gary L. Poulson
Assistant Revisor of Statutes
119 Martin Luther King, Jr., Blvd.

RECEIVED
AUG 11 1992
Revisor of Statutes
Bureau

Dear Mr. Poulson:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. FM-8-92. These rules were reviewed by the Assembly Committee on Tourism and Recreation and the Senate Committee on Urban Affairs, Environmental Resources and Elections pursuant to s. 227.19, Stats. Summaries of the final regulatory flexibility analysis and comments of the legislative review committees are also enclosed.

You will note that this order takes effect following publication. Kindly publish it in the Administrative Code accordingly.

Sincerely,


C. D. Besadny
Secretary

Enc.