

CR 93-73



George E. Meyer
Secretary

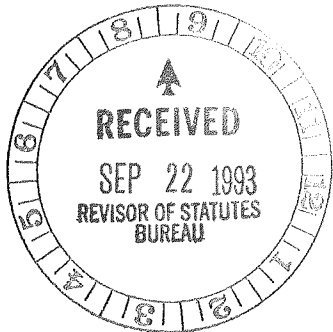
State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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STATE OF WISCONSIN)
)
DEPARTMENT OF NATURAL RESOURCES) ss

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, George E. Meyer, 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-19-93 was duly approved and adopted by this Department on June 24, 1993. 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 15th
day of September, 1993.

George E. Meyer
George E. Meyer, Secretary

(SEAL)

1-1-94



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ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD
AMENDING RULES

.....
IN THE MATTER of amending ss. NR 20.10(1)(b) .
(intro.), 21.02(2), 21.04(2)(d), (3)(c), (7)(b) .
(8)(a), (11)(a) and (13), 21.08(intro.), 22.02(2) . FM-19-93
and 22.12(7) of the Wisconsin Administrative .
Code pertaining to sport and commercial fishing .
on Wisconsin-Minnesota and Wisconsin-Iowa .
boundary waters .
.....

Analysis Prepared by Department of Natural Resources

Statutory authority: Sections 29.174 (3), and 227.11 (2) (a),
Stats.

Statutes interpreted: Sections 29.085 and 29.174 (2) (a),
Stats.

In this order, as a precautionary measure, SECTIONS 1 and 4
prohibit the harvest of minnows or shiners from the St. Louis
river to reduce the possibility of bait-bucket transfer of the
exotic Ruffe.

SECTIONS 2, 5 and 6 liberalize the commercial fishing rules on
the Wisconsin-Minnesota and Wisconsin-Iowa boundary waters by
eliminating the minimum length limit for commercially harvested
bullheads and extending the commercial frame net season on
Wisconsin-Iowa boundary waters from September 1 to June 1.

SECTION 3 closes the lake sturgeon angling season upstream from
St. Croix Falls on the St. Croix river and the shovelnose
sturgeon season on the St. Louis and St. Croix rivers and the
Mississippi river north of Red Wing, Minnesota.

SECTION 3 also resolves interstate differences in the opening day
of the walleye and northern pike season on the St. Louis river by
changing to a "Saturday 2 weeks prior to the Saturday nearest
Memorial Day" opener, and opening the muskellunge season on the
St. Croix and Mississippi rivers on the "Saturday nearest
Memorial Day."

Finally, SECTION 3 eliminates a potential rule conflict by cross-
referencing the extended trout and salmon seasons on the St.
Louis river (April 1 - November 15).

SECTION 1. NR 20.10(1)(b)(intro.) is amended to read:

NR 20.10(1)(b)(intro.) Except as provided in ss. NR 20.09(2)(g) and (3), and 21.06(1)(d), no person may take fish other than smelt and shiners with nets or traps from Lake Superior, ~~its bays or tributaries, and no person may take minnows or shiners from the St. Louis river.~~ This paragraph does not apply to the following waters:

SECTION 2. NR 21.02(2) is amended to read:

NR 21.02(2) Commercial fish include species of rough and detrimental fish as defined by this chapter, shovelnose (hackleback) sturgeon 25 inches and over in length taken only on setlines, catfish 15 inches or over in length or 12 inches or over dressed and bullheads ~~9 inches or over in length or 7 inches or over dressed~~ of any length when taken with commercial fishing gear and all taken while fishing under a commercial fishing license on the Mississippi river.

SECTION 3. NR 21.04(2)(d), (3)(c), (7)(b), (8)(a), (11)(a) and (13) are amended to read:

Kind of fish and locality	Open season (both dates inclusive)	Daily bag limit	Minimum length (inches)
(2) WALLEYE AND SAUGER			
(d) St. Louis river	Saturday nearest May 15 2 weeks prior to the Saturday nearest Memorial Day to March 1	2 in aggregate	15
(3) NORTHERN PIKE			
(c) St. Louis river	Saturday nearest May 15 2 weeks prior to the Saturday nearest Memorial Day to March 1	2	No size limit
(7) LAKE STURGEON			
(b) Mississippi river, and St. Louis rivers river and St. Croix river upstream from the dam at St. Croix Falls	No open season	--	--
(8) SHOVELNOSE STURGEON			
(a) Mississippi river from the Red Wing dam upstream and the St. Croix and St. Louis rivers	Saturday nearest May 1 to October 31 <u>No open season</u>	1 per season --	45 inches --
(11) MUSKELLUNGE			
(a) St. Croix river and Mississippi river from Prescott downstream	Saturday nearest May 1 Memorial Day to March 1	1	36 inches
(13) TROUT AND SALMON St. Louis river	First Saturday in May at 5:00 a.m. to September 30 <u>except as provided in s. NR 20.03(1)(f)4.b.</u>	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

SECTION 4. NR 21.08(intro.) is amended to read:

NR 21.08(intro.) Except as provided in ss. NR 20.09(2)(g) and (3) and 21.06(1)(d), no person may take fish other than smelt ~~and shiners~~ with nets or traps in the St. Louis River river. No person may take minnows or shiners from the St. Louis river.

Only those minnow seines, minnow dip nets, cast nets, minnow traps or crayfish scoops described below and operated in the manner specified may be used for the taking of minnows: (23.11, 29;137, 29.085)

SECTION 5. NR 22.02(2) is amended to read:

NR 22.02(2) "Commercial fish" means species of rough and detrimental fish as defined in this chapter, shovelnose (hackleback) sturgeon 25 inches and over in length, catfish 15 inches or over in length or 12 inches or over dressed and bullheads ~~9 inches or over in length or 7 inches or over dressed~~ of any length when taken with commercial fishing gear under a commercial fishing license.

SECTION 6. NR 22.12(7) is amended to read:

Type of gear	Period of year may be used dates inclusive	Specifications	Restrictions
(7) Frame net	Sept. 15 <u>1</u> thru May 15 <u>June 1</u>	Any size mesh not to exceed 4 x 8 foot front with a single lead.	Shall be raised and emptied once each 2- day period unless a longer period is authorized by the department or its agents. Additional re- strictions are contained in s. NR 22.11.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on June 24, 1993.

The rules contained herein shall take effect on January 1, 1994, pursuant to authority granted by s. 227.22(2)(b), Stats.

Dated at Madison, Wisconsin September 15, 1993.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By George E. Meyer
George E. Meyer, Secretary

(SEAL)

