

Chapter NR 20

FISHING: INLAND WATERS; OUTLYING WATERS

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Note: Chapter NR 20 as it existed on May 31, 1999, was repealed and a new chapter NR 20 was created effective June 1, 1999. This chapter interprets ss. 29.014 and 29.041, Stats.

Subchapter I — Purpose and Definitions

NR 20.01 Purpose. This chapter establishes open and closed seasons, bag limits, possession limits, size restrictions and other rules governing the taking of fish in the inland and outlying waters of Wisconsin.

History: Cr. Register, May, 1999, No. 521, eff. 6-1-99.

NR 20.03 Definitions. In this chapter:

- (1) "Angler" means any person engaged in fishing.
- (2) "Artificial fly" means a single hook dressed with fur, feathers, hair, silk, tinsel, thread or similar material to imitate the natural food of fish.
- (3) "Artificial lure" means a spoon, spinner, jig, plug or other fish bait made of hair, feathers, cork, wood, rubber, metal, plastic or other synthetic materials, or combinations of these materials. An "artificial lure" may not include natural or organic food stuffs such as corn, marshmallows, dough, cheese, meat, living or dead organisms or parts of those items, except hair, feathers, cork, wood or rubber.
- (4) "Attached", for the purpose of s. NR 20.10, means affixed to the sturgeon immediately in front of the tail.
- (5) "Barbless hooks" means hooks with no barbs, or hooks with barbs that have been compressed to be in complete contact with the shank of the hook.
- (6) "Business day" has the meaning given it in s. 421.301 (6), Stats.
- (7) "Current validated sturgeon carcass tag", for the purpose of s. NR 20.10, means an unused tag of the current year validated according to the requirements of s. NR 20.10 (5).
- (8) "Daily bag limit" means the maximum number of fish that may be reduced to a person's possession in one day.
- (9) "Department" means the department of natural resources.
- (10) "Dip net" means a piece of netting suspended from a round or square frame that does not exceed 8 feet in diameter or 8 feet square.
- (11) "Fish length" means the distance from the tip of the snout in a straight line to the utmost end of the tail fin fully compressed.
- (12) "Fishing" or "fish", when used as a verb, means to take, capture, kill or attempt to take, capture or kill any variety of fish in the waters of the state.

(13) "Fishing shelter" means any building, tent, vehicle, shanty or similar enclosure used for the purpose of fishing.

(14) "Game fish" has the meaning found in s. 29.001 (41), Stats.

(15) "Green Bay" means those waters of Lake Michigan located to the west of the Green Bay-Lake Michigan line. For the purposes of s. NR 20.20, Green Bay shall mean Green Bay, Sturgeon Bay, Sawyer's Harbor, the Sturgeon Bay ship canal from Sturgeon Bay to a line located in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$, section 22, T27N, R26E, Door county, commencing at a point on the southwest shore of the Sturgeon Bay ship canal directly beneath the center of the Wisconsin public service company power line and extending in a northeasterly direction beneath and parallel to the center of the power line to a point on the northeast shore of the ship canal and the Fox river from its mouth up to the dam at DePere. For purposes of this chapter, "Green Bay" does not include that portion of Green Bay bounded by the mouth of the Menominee river on the west, the "government pier" or breakwall on the south, the "lighthouse pier" or breakwall on the north, and a line connecting the eastern-most points of those breakwalls on the east.

(16) "Green Bay-Lake Michigan line" means a line commencing at the northwest side of the Northport dock where it joins the shoreline in section 33, T33N, R29E; then running northeasterly to the range light (signal light) on Plum island; then running along the north and west shore of Plum island to the U.S. coast guard station; then running northerly to the southwesterly point on Shellswick dock, which is located on Lobdell's point on Washington island; then running along Shellswick dock to the shoreline of Lobdell's point; then running along the west shore of Washington island to Boyer's Bluff light; then running north to its terminus at the Wisconsin-Michigan boundary line.

(17) "Lake Michigan" means those waters of Lake Michigan located east of the Green Bay-Lake Michigan line and those waters of the Sturgeon Bay ship canal east of a line located directly beneath the center of the Wisconsin public service company power lines.

(18) "Lake Michigan tributaries" means the Pike river and its tributaries, Kenosha and Racine counties; Kewaunee river and its tributaries excluding Little Scarboro, Scarboro, Roger and Casco creeks, Kewaunee county; Milwaukee river upstream to the Grafton dam in the village of Grafton and tributaries to the Milwaukee river upstream to the first dam or lake; Menomonee river upstream to the Lepper dam in the village of Menomonee Falls and tributaries to the Menomonee river upstream to the first dam or lake;

and all other tributaries to Lake Michigan upstream to the first dam or lake.

(19) "Lake Winnebago system" means Lakes Buttes des Morts, Winneconne, Poygan, Winnebago and all their tributaries from their mouths upstream to the first dam including the Fox river from Lake Winnebago upstream to the dam above Princeton and all its tributaries from their mouths upstream to the first dam and the Wolf river from its mouth upstream to the dam in the city of Shawano and all its tributaries from their mouths upstream to the first dam including Cincoe lake, Partridge Crop lake and Partridge lake in Calumet, Fond du Lac, Green Lake, Marquette, Outagamie, Shawano, Waupaca, Waushara and Winnebago counties.

(20) "Lower Wisconsin river" means the Wisconsin river including all sloughs, bayous, flowages and tributaries from their mouths upstream to the first highway bridge in Columbia, Sauk, Dane, Iowa, Richland, Grant and Crawford counties upstream from the Burlington Northern and Santa Fe railroad tracks in Grant and Crawford counties.

(21) "Major Green Bay tributaries" means Duck creek upstream to the first dam above the Pamperin park foot bridge in the village of Howard excluding its tributaries, Suamico river upstream to CTH HS, East river upstream to Hoffman road (CTH XX) excluding its tributaries, Brown county; Peshtigo river upstream to the Peshtigo dam, Little river upstream to Radar road, Marinette county; Little Suamico river upstream to CTH J excluding tributaries, Pensaukee river upstream to CTH J excluding tributaries, Oconto river upstream to Stiles dam excluding tributaries except Little river, Little river upstream to state highway 141 excluding tributaries, Oconto county.

(22) "Mendota lake" means Mendota lake, Cherokee lake, Warner Park lagoons, Pheasant Branch creek from its mouth upstream to county highway M, Sixmile creek from its mouth upstream to state highway 19, and Yahara river from its mouth upstream to state highway 19, Dane county.

(23) "Mid lake reef complex" means those waters of Lake Michigan within the following area: All waters bounded by a line beginning at a point where 43 degrees 7 minutes north latitude and 87 degrees 40 minutes west longitude intersect, northerly to 43 degrees 20 minutes north latitude, easterly to 87 degrees 20 minutes west longitude, northerly to 43 degrees 30 minutes north latitude, easterly to the Wisconsin-Michigan state line, southerly to 43 degrees north latitude, westerly to 87 degrees 14 minutes west longitude, northerly to 43 degrees 3 minutes north latitude, westerly to 87 degrees 18 minutes west longitude, southerly to 43 degrees north latitude, westerly to 87 degrees 23 minutes west longitude, northwesterly to 43 degrees 7 minutes north latitude, and westerly to 87 degrees 40 minutes west latitude. This area encompasses the elevated areas of the lake bed commonly known as the Sheboygan reef, the Northeast reef, the Milwaukee reef, and the East reef.

(24) "Minnow dip net" has the same meaning as "dip net".

(25) "Minnow seine" means a seine that does not exceed 35 feet in length with mesh that does not exceed one-half inch stretch measure.

(26) "Minnow trap" means a device for catching minnows that does not exceed 24 inches in length and does not exceed 16 inches in width with an opening in the throat of the trap that does not exceed 1½ inches in diameter.

(27) "Muskellunge" means fish of the species *Esox masquinongy* and includes muskellunge - northern pike hybrids.

(28) "Openly exposed" means open to view by a person in a passing vehicle.

(28m) "Outlying trout and salmon waters" means those waters designated as outlying trout and salmon waters pursuant to s. 29.191 (4), Stats., Lake Michigan tributaries as defined in sub. (18), and the Little river from its confluence with the Oconto river upstream to the highway 141 bridge.

(29) "Panfish" means the following fish species: yellow perch, bluegill, black crappie, white crappie, pumpkinseed, green sunfish, warmouth and orangespotted sunfish.

(30) "Position fishing" means fishing from a boat in a manner where the fishing line extends vertically into the water while the boat is maneuvered by the use of a motor.

(31) "Possession limit" means the maximum number of a fish species that a person may possess, which is twice the daily bag limit specified in this chapter except the possession limit for trout is 10 of which no more than 5 may be a combined total of brown and rainbow trout, the possession limit for minnows is specified in s. NR 20.14, and the possession limit for flathead catfish from the Lake Winnebago system is 10 until March 31, 2012, when it reverts back to twice the daily bag limit.

(32) "Rough fish" has the meaning found in s. 29.001 (74), Stats.

(33) "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.

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

(35) "Seine" has the meaning found in s. 29.522 (3), Stats.

(36) "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.

(37) "Set or bank pole" means a pole equipped with a 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.

(37m) "Sheboygan marsh" means waters within the area commonly known as Sheboygan Marsh county park including Sheboygan lake and its tributaries upstream to the first road crossing.

(38) "Spearing" means fishing with a device consisting of a shaft with an attached sharp point or points and includes devices such as spears, bow and arrow, spear guns or similar devices.

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

(40) "Troll" or "trolling" means fishing by trailing any lure, bait or similar device that may be used to attract or catch fish from a boat propelled by a means other than drifting or rowing. Casting and immediate retrieval of a bait, lure or similar device while the motor is running or position fishing is not trolling.

(41) "Trout stream" means those waters designated by the department pursuant to s. NR 1.02 (7).

Note: Copy available for review at the Bureau of Fisheries Management and Habitat Protection, Department of Natural Resources, 101 S. Webster Street, P.O. Box 7921, Madison WI 53707.

(42) "Unattended line" means a fishing line to which the person using the line is not actively directing his or her attention and, during open water, any line that is more than 100 yards from the person using the line.

(43) "Yellowstone lake" means Yellowstone lake and the Yellowstone river from Yellowstone lake upstream to county highway F.

History: Cr. Register, May, 1999, No. 521, eff. 6-1-99; cr. (28m), Register, December, 1999, No. 528, eff. 4-1-00; am. (18), Register, September, 2000, No. 537, eff. 4-1-01; CR 01-012: am. (17), (19), (22) and (42), cr. (37m) and (43); CR 01-013: am. (31), Register November 2001 No. 551, eff. 4-1-02; **CR02-014: am. (42), Register September 2002 No. 561, eff. 4-1-03.**

Subchapter II — Prohibited Methods

NR 20.05 General restrictions. No person may do any of the following:

(1) Fish by any means other than hook and line except as specifically authorized in subch. III.

(2) Possess or control any firearm, gun or similar device at any time while on the waters, banks or shores that might be used for the purpose of fishing.

(3) Fish within 200 feet of any fishway, lock or dam by any means other than by hook and line in the inland waters.

(4) Fish for any species of fish at any time other than during the open season for that species of fish.

(5) Fish for any variety of fish in trout streams other than during the open season for trout except that rough fish may be taken by hand at any time in all waters.

(6) Fish for, possess or control fish in excess of the daily bag limit authorized in s. NR 20.20 for that water while on the waters, banks or shores of waters or while fishing.

(7) Possess or control fish unless they are included as part of the daily bag limit. Fish that are not released immediately shall be included as part of the daily bag limit.

(8) Possess or control any fish in excess of the possession limit.

(9) Possess or control fish of any size other than that authorized by the size restriction.

(10) Use, attach or implant a telemetry device on or into a fish.

(11) Raise, remove or otherwise tamper with another person's commercial fishing gear set in any water without permission from the licensed user. This restriction does not apply to agents of the department.

(12) Use, possess, control, set or place in any water any live box, or similar device that might be used for the keeping of fish unless a tag of permanent material bearing the name and address of the owner or user is securely attached and is readable and legible.

Note: This restriction does not apply to receptacles carried by the angler to contain fish while fishing.

(13) Sponsor a fishing tournament unless a permit has been obtained from the department pursuant to s. NR 20.40.

History: Cr. Register, May, 1999, No. 521, eff. 6-1-99; CR 01-012: am. (1) and (4), Register November 2001 No. 551, eff. 4-1-02.

NR 20.06 Hook and line fishing. No person may do any of the following:

(1) Fish in inland waters by the method of trolling except where specifically authorized in s. NR 20.20.

(2) Fish with more than 3 hooks, baits or lures.

(3) Fish with any hook and line fishing tackle, bait, hooks or lures on waters where its use is not authorized in s. NR 20.20. Gear restrictions for trout and salmon on waters or portions of waters specified in s. NR 20.20 apply to all species while fishing on those waters.

(3m) Possess or control any live bait or any other baits, hooks or lures other than artificial lures while on the waters, banks or shores of waters where only the use of artificial lures is authorized in subch. III.

(4) Use a landing net larger than 3 feet in diameter.

(5) Use a gaff in any manner other than for landing a fish that is legally hooked.

(6) Fish by snagging, foul hooking or attempting to hook fish other than in the mouth.

(7) Possess, retain or fail to immediately release fish hooked other than in the mouth.

(8) Use, possess, control, set or place any snag line or snag pole, snaghook or cluster of hooks that could be placed into or drawn through the water for the purpose of catching fish or drawing the hooks into the body of fish.

(9) Fish with an unattended line except where specifically authorized under s. NR 20.20. Failure to immediately respond to a line upon indication of a bite shall be prima facie evidence that the line is unattended.

Note: For further restrictions on the use of setlines and set or bank poles, see s. NR 20.12.

(10) Fish in open water with a free-floating or anchored buoyant device with attached hook and line that is not held or otherwise controlled by the angler.

Note: This method is commonly known as jug fishing.

History: Cr. Register, May, 1999, No. 521, eff. 6-1-99; cr. (3m), Register, December, 1999, No. 528, eff. 4-1-00; CR 01-012: am. (5), Register November 2001 No. 551, eff. 4-1-02.

NR 20.07 Special sturgeon hook and line fishing restrictions. No person may do any of the following:

(1) Possess a lake sturgeon taken by hook and line unless a hook and line lake sturgeon tag is immediately attached to the lake sturgeon and the tagged lake sturgeon is registered at a department lake sturgeon registration station by 6:00 p.m. on the day after it was taken.

Note: Hook and line lake sturgeon tags will be available at department service centers and regional offices each year prior to the open season.

(2) Remove the registration tag attached to the fish by the department until the carcass is prepared for final consumption. The hook and line lake sturgeon registration tag shall be retained by the person taking the lake sturgeon until the fish is consumed.

(3) Transport any lake sturgeon in or on any motor-driven vehicle from the time the lake sturgeon is taken to the time it is lawfully registered pursuant to sub. (1) unless the lake sturgeon is carried openly exposed and in a manner so that the lake sturgeon tag attached to the lake sturgeon cannot be handled or manipulated by any occupant of the vehicle.

(4) Transport any lake sturgeon in or on any boat from the time the lake sturgeon is taken to the time it is lawfully registered pursuant to sub. (1) unless the lake sturgeon is carried openly exposed.

(5) Obtain more than one hook and line lake sturgeon tag except that one additional hook and line lake sturgeon tag may be obtained for Wisconsin-Michigan boundary waters.

History: Cr. Register, May, 1999, No. 521, eff. 6-1-99.

NR 20.08 Restrictions on the use of bait. No person may do any of the following:

(1) Use goldfish as bait or possess goldfish in any form or manner on any water of the state.

(2) Use alewife as bait or possess alewife in any form or manner on any water of the state except Lake Michigan, Lake Michigan tributaries, Green Bay, major Green Bay tributaries, and all other tributary streams, rivers and ditches to Green Bay upstream to the first dam or lake.

(3) Release any unused bait into any waters of the state unless issued a permit pursuant to s. 29.736, Stats.

(4) Use as bait, possess or release any minnows or other fish on the waters or shores of waters that have been chemically treated for trout management when posted by department signs.

(5) Take, gather, collect, possess or attempt to take, gather or collect larvae or nymphs of aquatic insects from any trout stream for use or sale as bait except that a licensed angler may take larvae or nymphs from trout streams by hand during the open trout season for immediate use as bait only in the trout stream from which the larvae or nymphs were taken.

History: Cr. Register, May, 1999, No. 521, eff. 6-1-99; CR 01-012: am. (2), Register November 2001 No. 551, eff. 4-1-02.

NR 20.09 Spearfishing restrictions. No person may do any of the following:

(1) Possess or control any bow, spear or similar device while on any water or on the banks or shores of any water that might be used for the purpose of fishing except as specifically authorized in s. NR 20.20.

(2) Use, possess or control any bow, spear or similar device from sunset to sunrise while on the waters or on the banks or shores of any waters except that a bow and arrow may be possessed and used for spearing rough fish on the following inland lakes during 2000, 2001 and 2002 at any time during the open season for spearing as specified in s. NR 20.20: Castle Rock and Petenwell flowages, Adams and Juneau counties; Round and Trade lakes, Burnett county; Lake Winnebago, Calumet county; Arbutus and Mead lakes, Clark county; Lake Wisconsin, Mud lake and Park lake, Columbia county; Lakes Monona, Mendota, Kegonsa, Koshkonong and Waubesa, Dane county; Beaver Dam lake, Chub lake, Fox lake, Mud lake, Horicon Marsh and Lake Sinnissippi, Dodge county; Eau Galle lake, Lake Menomin and Tainter lake, Dunn county; Lake Winnebago, Fond du Lac county; Big Green lake, Lake Puckaway and Little Green lake, Green Lake county; Ludden lake, Iowa county; Lake Koshkonong, Jefferson county; Lake Neshonoc, La Crosse county; Yellowstone lake, Lafayette county; Big Eau Pleine flowage, Lake DuBay and McMillan reservoir, Marathon county; Buffalo lake and Grand River Marsh, Marquette county; Cedar and Wappogasset lakes, Polk county; Wisconsin River flowage and Lake DuBay, Portage county; Tichigan and Wind lakes, Racine county; Lake Koshkonong, Rock county; Potato lake, Rusk county; Cedar lake, St. Croix county; Lake Wisconsin, Sauk county; Shawano lake, Shawano county; Delavan, Como and Geneva lakes, Walworth county; Big Muskego lake and Lac LaBelle, Waukesha county; Lake Poygan, Waushara county; Lakes Butte des Morts, Poygan, Winnebago, Winneconne and Rush lake, Winnebago county.

(3) Spear any game fish except that white bass, yellow bass, rock bass, panfish and bullheads may be speared while skin diving or scuba diving during the open season for rough fish spearing on waters specified in s. NR 20.20.

History: Cr. Register, May, 1999, No. 521, eff. 6-1-99; am. (2), Register, February, 2000, No. 530, eff. 4-1-00; CR 01-012: am. (3), Register November 2001 No. 551, eff. 4-1-02.

NR 20.10 Special sturgeon spearing restrictions.

No person may do any of the following:

(1) Take, capture, kill or attempt to take, capture or kill sturgeon on Lake Winnebago system waters by any means other than spearing with a spear thrown by hand from inside a fishing shelter placed on the ice during the open season specified in s. NR 20.20 (73) (e).

(2) Fish with or possess a fishing pole, hook and line or other similar devices that might be used for the purpose of catching fish within any fishing shelter containing an ice hole larger than 12 inches in diameter or square during the open season for spearing sturgeon on waters specified in s. NR 20.20 (73) (e).

(3) Cover ice holes cut, used or maintained for sturgeon spearing pursuant to s. NR 20.11 (2) with a fishing shelter except during the period from 48 hours before and continuing through the open season for sturgeon spearing.

(3m) Use or possess any artificial light in order to illuminate any waters open to sturgeon spearing during the period beginning 48 hours before and continuing through the open season for sturgeon spearing.

(3s) Cut, use or maintain ice holes larger than 48 square feet for sturgeon spearing pursuant to s. NR 20.11 (2).

(4) Possess a validated sturgeon carcass tag unless it is attached to a legally killed sturgeon.

(5) Possess a speared sturgeon unless immediately validating the sturgeon carcass tag by slitting the marks designating the month, day, time and location of kill and immediately attaching the validated tag to the sturgeon carcass. Failure to completely validate the sturgeon carcass tag and immediately attach the tag to the sturgeon carcass renders the possession of the sturgeon illegal and the sturgeon carcass tag invalid. A sturgeon carcass tag shall be issued with each sturgeon spearing license and shall remain intact until the spearer spears a sturgeon.

(6) Transport a sturgeon in any manner from the time the sturgeon is taken to the time it is lawfully registered pursuant to sub. (10) unless the sturgeon is carried openly exposed and in a manner so that the sturgeon carcass tag attached to the sturgeon cannot be handled or manipulated.

(7) Possess a speared sturgeon unless the person who spears and tags the sturgeon accompanies the sturgeon carcass during transport until the sturgeon has been registered pursuant to sub. (10).

(8) Possess a sturgeon speared from lake Butte des Morts, Poygan or Winneconne under s. NR 20.20 (73) (e) 2. b. outside the following area unless the sturgeon has been registered pursuant to sub. (10): from the intersection of highways 110 and 21 in Oshkosh west on highway 21 to highway 116; north on highway 116 to county highway B; west on county highway B to county highway D; west on county highway D to highway 49; north on highway 49 to county highway H; east on county highway H to highway 10; east on highway 10 to highway 110; south on highway 110 to county highway M; south on county highway M to highway 116; east on highway 116 to highway 110; south on highway 110 to highway 21.

(9) Possess a sturgeon speared from Lake Winnebago under s. NR 20.20 (73) (e) 2. c. outside the following area unless the sturgeon has been registered pursuant to sub. (10): from the intersection of highways 10 and 114 in Menasha, east on highway 114 to highway 55; south on highway 55 to U.S. highway 151; south on U.S. highway 151 to Scott street in Fond du Lac; west on Scott street to highway 45; north on highway 45 to Main street in Oshkosh; north on Main street to Waugoo avenue; east on Waugoo avenue to Bowen street; north on Bowen street to North Shore drive; north on North Shore drive to county highway A; north on county highway A to highway 114 in Neenah; east on highway 114 to the intersection of highways 10 and 114 in Menasha.

(10) Possess a sturgeon unless each person who has speared a sturgeon during the open season for spearing sturgeon exhibits the sturgeon, with the person's sturgeon carcass tag attached as required by s. 29.237, Stats., to a warden or other authorized department personnel at an official sturgeon registration station. Sturgeon shall be intact and registered at a station on Lake Winnebago if speared in Lake Winnebago. Sturgeon shall be intact and registered at a station on Lake Butte des Morts, Winneconne or Poygan if speared in Lake Butte des Morts, Winneconne or Poygan. Sturgeon shall be exhibited at a sturgeon registration station not later than 1:30 p.m. on the day speared. The registration tag shall remain attached and locked to the sturgeon until the carcass is prepared for final consumption.

(10m) Fish for sturgeon during the open season by the method of spearing or possess or control a spear or similar device within a fishing shelter on Lake Winnebago system waters from 12:30 p.m. until 6:30 a.m. of the following day.

(11) Attempt to register a sturgeon unless the license information can be verified. The station operator shall collect biological information, lock a registration tag to the carcass immediately in front of the tail and remove the validation portion of the sturgeon carcass tag leaving the remainder of the sturgeon carcass tag attached to the sturgeon.

History: Cr. Register, May, 1999, No. 521, eff. 6-1-99; CR 01-012: am. (4) to (6), (10) and (11), Register November 2001 No. 551, eff. 4-1-02; CR 01-013: cr. (3m) and (3s), Register November 2001 No. 551, eff. 12-1-01; **CR02-014: am. (10), cr. (10m), Register September 2002 No. 561, eff. 10-1-02.**

NR 20.11 Ice fishing and fishing shelter restrictions.

(1) No person may construct, place, use, maintain or occupy a fishing shelter on the ice of any waters of this state unless:

(a) The name and residential address in the English language of the person owning or using the fishing shelter is legibly painted or permanently affixed on the outside of the fishing shelter with block lettering a minimum of one inch square and in contrasting colors. Fishing shelters that are removed from the ice daily or

when not occupied or otherwise in use are exempt from this requirement.

(b) The door can be readily opened from the outside while the shelter is occupied.

(c) The person is actively using the fishing shelter and it is removed from the ice daily and when not in use on the Fox river downstream from the DePere dam, Brown county.

(d) The fishing shelter is removed from the ice daily and when not in use after March 5 on inland waters south of highway 64.

(e) The fishing shelter is removed from the ice daily when not in use after March 15 on inland waters north of highway 64 and all other outlying waters.

(2) No person may cut, use or maintain a hole larger than 12 inches in diameter or square for the taking of fish in any manner through the ice except for spearing fish in Lake Superior, sturgeon spearing, taking fish with dip nets, taking minnows with minnow traps or skin or scuba diving.

(3) The department or its agents may direct that fishing shelters be removed from the ice by a date earlier than specified in subs. (1) (d) or (e) if it has reason to believe that the ice has become unsafe for travel.

History: Cr. Register, May, 1999, No. 521, eff. 6-1-99; CR 01-012: am. (1) (a), Register November 2001 No. 551, eff. 4-1-02.

NR 20.12 Setline and set or bank pole restrictions.

(1) GENERAL RESTRICTIONS. No person may use, set, lift, attend or possess any set or bank pole or setline on any water except the lower Wisconsin river, unless:

(a) Its use is specifically authorized by a set or bank pole license issued under s. 29.531 (1), Stats., or a setline license issued under s. 29.533 (1), Stats. No person may use, set, lift, attend or possess set or bank pole or setline licensed to another person.

(b) Its use in that water is specifically authorized in s. NR 20.20.

(c) A white flag at least 10 inches square bearing the number of the license authorizing its use in black figures at least 3 inches high and attached to the top of a flag staff that extends at least 3 feet above the surface of the water or bank is placed and maintained at one end of the setline or within 2 feet of the set or bank pole with a cord attached from the flag staff to the set or bank pole. The flag staff may not exceed 2 1/2 inches in diameter and shall be marked with 2 inch to 6 inch wide alternating horizontal black and white bands. When a buoy is used to hold the setline's flag staff, the buoy shall be cylindrical in shape, 15 inches or less in diameter and marked with 2 inch to 6 inch wide alternating horizontal black and white bands. No person may place a setline flag, flag staff or pole in the main channel of any navigable waterway.

(d) A metal tag stamped with the number of the license authorizing its use is securely attached directly to the flag staff or pole of each setline or set or bank pole.

(1m) LOWER WISCONSIN RIVER RESTRICTIONS. No person may use, set, lift, attend or possess any set or bank pole or setline on the lower Wisconsin river unless:

(a) Its use is specifically authorized by a set or bank pole license issued under s. 29.531 (1), Stats., or a setline license issued under s. 29.533 (1), Stats. No person may use, set, lift, attend or possess a set or bank pole or setline licensed to another person.

(b) Its use in that water is specifically authorized in s. NR 20.20.

(c) A white setline flag at least 10 inches square bearing the number of the license authorizing its use in figures at least 3 inches high and attached to a flag staff that extends at least 3 feet above the surface of the water or bank is placed and maintained at one end of the setline. The flag staff may not exceed 2 1/2 inches in diameter and shall be marked with 2 inch to 6 inch wide alternating horizontal black and white bands. When a buoy is used to hold the setline's flag staff, the buoy shall be cylindrical in shape, 15 inches or less in diameter and marked with 2 inch to 6 inch wide alternating horizontal black and white bands. No person may

place a setline flag, flag staff or pole in the main channel of any navigable waterway.

(d) A metal tag stamped with the number of the license authorizing its use is securely attached directly to each set or bank pole and to the flag staff of each setline.

(2) GEAR, FISHING METHODS AND BAIT. No person may do any of the following:

(a) Use, set, lift, attend or possess more than 5 set or bank poles.

(b) Use, set, lift, attend or possess more than one setline while on the waters of this state except as provided in ss. NR 21.11 (1) (a) and 22.12 (1).

(c) Use, set, lift or attend a set or bank pole equipped with more than one line, which may not have more than 2 hooks.

(d) Use, set, lift or attend a setline with more than 25 hooks.

(e) Use, set, lift, attend or possess any set or bank pole or setline between one-half hour after sunset and one-half hour before sunrise.

(f) Use or set a set or bank pole or setline unless it is lifted and the catch removed at least once each day following the day it was set unless a longer period is authorized by the department or its agents.

(g) Use, set, lift or attend a set or bank pole or setline while in possession of hook and line fishing equipment.

(h) Use, set, lift or attend a set or bank pole or setline that is equipped with any hooks that have a gap between the juncture of the barb with the shank measured across to the opposite shank smaller than 3/4 inch except that on the Mississippi river there is no hook size restriction.

(i) Use whole or live fish as bait on set or bank poles or setlines on Lakes Butte des Morts, Little Butte des Morts, Winnebago and Winneconne, Winnebago county, Lake Poygan, Waushara and Winnebago counties and the Black river, Jackson, LaCrosse and Trempealeau counties.

(j) Use live crawfish or whole or live fish less than 5 inches in length as bait on set or bank poles or setlines.

(3) RESTRICTIONS ON HARVEST. (a) No person may take, retain, kill or possess any fish or other animal taken on a set or bank pole or setline other than catfish, rough fish or turtles.

Note: All game fish taken on any set or bank pole or setline shall be immediately returned to the water except catfish taken in compliance with this section.

(b) The size, bag and possession limits for catfish and rough fish established in s. NR 20.20 shall apply to all persons who fish with set or bank poles or setlines.

(4) SALE OF FISH AND TURTLES. No person may sell any fish or other animal taken on a set or bank pole or setline except the following:

(a) Rough fish.

(b) Turtles during the open season specified in s. NR 19.275.

(c) Channel catfish taken from lakes Winnebago, Butte des Morts, Winneconne, Poygan, and the Wolf river from 500 feet below the Shawano dam downstream to its mouth.

History: Cr. Register, May, 1999, No. 521, eff. 6-1-99; am. (1) (intro.), (c) and (d), cr. (1m), Register, February, 2000, No. 530, eff. 3-1-00; correction in (2) (b) was made under s. 13.93 (2m) (b) 7., Stats; CR 01-012: am. (2) (h) and (4) (b); CR 01-013: am. (4) (c), Register November 2001 No. 551, eff. 4-1-02.

NR 20.13 General netting restrictions. No person may do any of the following:

(1) Possess, control or operate in any manner any net, seine or similar device that might be used for the purposes of fishing at any time while on any water or on the banks or shores of any water except as specifically authorized in this section, s. NR 20.14 or 20.20.

(2) Set, use or operate a dip net or seine from sunset to sunrise unless specifically authorized in s. NR 20.20.

(3) Set, use or operate more than one dip net.

(4) Set, use or operate a dip net in any manner other than by raising and lowering it vertically while fishing.

- (5) Fish in any other manner while operating a dip net or seine.
- (6) Fish with hook and line from any boat while in possession of a dip net.
- (7) Leave a dip net or seine unattended within 25 feet of the edge of the water.
- (8) Sell, barter or trade in any manner any sucker taken with a dip net or seine.

History: Cr. Register, May, 1999, No. 521, eff. 6-1-99; CR 01-012: am. (6) and (7), Register November 2001 No. 551, eff. 4-1-02.

NR 20.14 Minnow collecting restrictions. No person may do any of the following:

(1) Set, use or operate any net, trap or similar device for the taking of minnows other than minnow seines, minnow dip nets and minnow traps as authorized in s. NR 20.20 unless issued a permit by the department under s. NR 20.39 pursuant to s. 29.516 (1), Stats.

(2) Set, use or operate any minnow seine, minnow dip net, minnow trap or similar device for the taking of minnows in any water unless specifically authorized in s. NR 20.20 or 20.39. Minnow seines or minnow dip nets of any type or description may not be set, used or operated in any trout stream unless a permit is issued by the department under s. NR 20.39.

(3) Set, use or operate minnow traps in any water that is posted as having been chemically treated to reestablish a trout fishery.

(4) Set, use or operate minnow traps unless a label or tag bearing the legible name and address of the operator in the English language is securely attached.

(5) Set, use or operate minnow traps unless they are raised and the minnows are removed from them at least once every 48 hours from all waters except trout streams.

(6) Set, use or operate minnow traps in trout streams during the closed season for trout unless issued a permit by the department under s. NR 20.39. The permit authorizing placement of minnow traps in trout streams during the closed season for trout shall specify conditions on raising the traps and removing minnows.

(7) Set, use or operate more than 3 minnow traps in trout streams during the open season for trout except licensed bait dealers.

(a) No more than a total of 20 minnow traps may be set, used or operated by licensed bait dealers during the open season for trout when removing minnows from one or more trout streams unless issued a permit by the department under s. NR 20.39.

(b) Minnow traps set, used or operated on trout streams during the open season for trout shall be raised and the minnows removed from them at least once every 24 hours.

(8) Possess or control more than 600 minnows at any time unless licensed as a bait dealer under s. 29.509, Stats.

Note: The possession and transportation of legally taken minnows is permitted throughout the state.

History: Cr. Register, May, 1999, No. 521, eff. 6-1-99; CR 01-012: am. (3) and (6), Register November 2001 No. 551, eff. 4-1-02.

Subchapter III — Authorized Methods, Open Seasons, Daily Bag Limits and Size Restrictions on Specified Waters

NR 20.15 Authorized methods. A person may do any of the following:

(1) Take rough fish by hand at any time in all waters except within 200 feet of a lock or dam.

(2) Use any fish for bait provided the fish was lawfully obtained and legal to possess pursuant to all the restrictions set forth in this chapter.

(3) Spear white bass, yellow bass, rock bass, panfish and bullheads while skin diving or scuba diving during the open season for rough fish spearing as specified in s. NR 20.20.

History: CR 01-012: cr. Register November 2001 No. 551, eff. 4-1-02.

NR 20.16 Special early catch and release season for trout. (1) **GENERAL PROVISIONS.** (a) *Open season and waters.* Except as specified in sub. (2), there is an open season for trout from 5:00 a.m. on the first Saturday in March through the Sunday preceding the first Saturday in May on the following waters:

1. All streams in Adams, Ashland, Barron, Buffalo, Burnett, Chippewa, Clark, Columbia, Crawford, Dane, Dodge, Douglas, Dunn, Eau Claire, Fond du Lac, Grant, Green, Green Lake, Iowa, Iron, Jackson, Jefferson, Juneau, Kenosha, La Crosse, Lafayette, Milwaukee, Monroe, Ozaukee, Pepin, Pierce, Polk, Price, Racine, Richland, Rock, Rusk, St. Croix, Sauk, Sawyer, Sheboygan, Taylor, Trempealeau, Vernon, Walworth, Washburn, Washington, Waukesha and Wood counties.

2. 'Bayfield county.' All streams except the White river and its tributaries upstream from Pike River Road bridge.

3. 'Florence county.' Pine river.

4. 'Forest county.' Peshtigo river downstream from U.S. highway 8, Pine river downstream from STH 55, and Rat river downstream from Scattered Rice lake.

5. 'Langlade county.' Wolf river.

6. 'Lincoln county.' All streams west of STH 51 and Prairie river downstream from CTH J.

7. 'Marathon county.' Black creek (mouth at T27N R7E S4), Black creek (T30N,R3E), Grass creek, McGinnes creek, Four-mile creek, Noisy creek, and Plover river from STH 29 downstream to STH 153.

8. 'Marinette county.' North branch Peme Bon Won river downstream from STH 141, Peshtigo river upstream from CTH C, Pike river between CTH V and CTH K, and Rat river.

9. 'Marquette county.' Chaffee creek downstream from CTH B, Klawitter creek, Lawrence creek, Lunch creek, Mekan river upstream from STH 22, Neenah creek, O' Keefe creek, Wedde creek and Westfield creek.

10. 'Oconto county.' North branch Oconto river downstream from STH 64 and south branch Oconto river downstream from CTH AA.

11. 'Oneida county.' All streams west of STH 51 and Bearskin creek.

12. 'Portage county.' Ditches 1 through 6 downstream from Townline road and Tomorrow river from Amherst downstream to Durant road.

13. 'Shawano county.' Middle branch Embarrass river from Homme dam to STH 29, north branch Embarrass river from Tilleda dam downstream to Leopold dam and Red river downstream from lower Red Lake dam.

14. 'Vilas county.' Mishonagon creek.

15. 'Waupaca county.' North branch Little Wolf river from CTH P to CTH J, south branch Little Wolf river and Waupaca river from Frost Valley road to STH 54.

16. 'Waushara county.' Carter creek, Leola ditch, Mekan river downstream from 12th avenue, Pine river downstream from CTH K to Poy Sippi pond, Roche-a-Cri creek, Willow creek from Blackhawk drive to 29th lane, and White river from STH 22 to lower White River millpond.

Note: The early catch and release season does not apply to spring ponds, ponds or lakes.

(b) *Daily bag limit, possession limit and gear restrictions.* The following restrictions apply to waters specified in par. (a) during the open season specified in par. (a):

1. The daily bag limit and possession limit for trout is 0.

2. No person may use any hooks, baits or lures other than artificial lures with barbless hooks while fishing for any species of fish on trout streams specified in par. (a).

(2) **EXCEPTIONS.** Subsection (1) does not apply to the following streams:

(a) Lake Michigan tributaries, major Green Bay tributaries, all other tributary streams, rivers and ditches to Green Bay upstream to the first dam or lake.

(b) All tributaries to Lake Superior except the White river and its tributaries from the White River dam upstream to Pikes River Road bridge and the Iron river and its tributaries upstream from Orienta dam.

History: Cr. Register, May, 1999, No. 521, eff. 6-1-99; am. Register, December, 1999, No. 528, eff. 1-1-00; r. and recr. Register, September, 2000, No. 537, eff. 3-1-01; CR 01-012: renum. from NR 20.15, Register November 2001 No. 551, eff.

4-1-02.

NR 20.20 County and statewide table. In this section, subs. (1) through (72) list waters or portions of waters by county and specify authorized methods, open seasons, daily bag limits and size restrictions for the taking of fish that are exceptions to the general rules specified in sub. (73).

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