

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.

(2g) "Backtrolling" means to fish from a motor-driven boat while operating the boat in such a way that the boat is progressing toward the rear.

(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.

(4b) "Openly exposed" means open to view by a person in a passing vehicle.

(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; cr. (2g), Register, December, 1989, No. 408, eff. 1-1-90; cr. (4b), Register, January, 1991, No. 421, eff. 2-1-91.

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 |
| | | March 2 to the day before the first Saturday in May. | 1 | 28 |
| | 3. Lake Superior | At all times | 5 | No size limit |

cedures under sub. (2) (a) to (c). Following its determination to remove an alternate limit the department shall remove or modify the posted notices of alternate limits and the original bag limit or size limit shall then apply.

History: Cr. Register, December, 1989, No. 408, eff. 1-1-90.

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:

| Daily bag limit | Reduced daily bag limits for walleye angling | | |
|-----------------|--|-----------------------------|--|
| | % 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.

(4) **NOTICE.** Adjustments and readjustments of bag limits and minimum size limits under subs. (1) and (2) shall become effective upon publication of the adjustment or readjustment in the official newspaper in the area affected.

History: Cr. Register, November, 1989, No. 407, eff. 12-1-89

NR 20.04 Open seasons in specified waters. (3) **SPECIAL WATERS-LAKES.** (a) 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 waters; 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:

8. Calumet county-Winnebago
11. Columbia county-Columbia
13. Dane county-Koshkonong
14. Dodge county-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), Kinney, Partridge and Partridge Crop
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.

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 the Grand River wildlife area dam downstream to the Fox river, all 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. Shioc 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, muskellunge, 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.

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; emerg. cr. (4m), eff. 8-4-89; r. (5) to (8), Register, December, 1989, No. 408, eff. 1-1-90; am. (3) (a) 14., Register, September, 1990, No. 417, eff. 10-1-90; am. (3) (c), Register, December, 1990, No. 420, eff. 1-1-91; am. (3) (a) 69. and (3) (am) 9., r. (3) (am) 2., Register, February, 1991, No. 422, eff. 3-1-91.

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) *IWaters 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 unless the person is backtrolling. Casting and immediate re-

(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 flow-

ing 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,