

Clearinghouse Rule 11-006

Report to
Legislative Council Rules Clearinghouse
NR 20, 23, and 26, Wis. Adm. Code
Natural Resources Board Order No. FH-03-11

Wisconsin Statutory Authority

ss. 29.014(1), 29.039, 29.041, 29.053 and 227.11(2)(a), Stats.

Federal Authority

N/A

Court Decisions directly Relevant

None

Analysis of the Rule – Rule Effect – Reason for the Rule

The Department of Natural Resources Bureau of Fisheries Management recommends promulgating administrative rules that alter sections of chs. NR 20, 23, and 26 related to fishing regulations on inland, outlying, and boundary waters of Wisconsin. The proposals contained in this rule originate from the recommendations of department staff, members of the Conservation Congress, and members of the public. The proposed rules will:

1. Establish a continuous hook and line fishing season for cisco (lake herring), whitefish, and hybrids in the Wisconsin-Michigan boundary waters with a possession and daily bag limit of 10 in total and no size limit.
2. Require using a quick-strike rig when fishing with a 10-inch or longer minnow as bait.
3. Increase the statewide minimum size restriction to 40 inches for muskellunge on all waters currently at a 34-inch minimum size restriction and decrease the minimum size restriction to 28 inches for muskellunge on ten waters: English and Mineral lakes (Ashland county), Bearskin, Booth, Julia, and Squaw lakes (Oneida county), Butternut and Solberg lakes (Price county), Spider lake (Sawyer county), and Upper Gresham lake (Vilas county).
4. Increase the minimum size restriction from 15 to 18 inches and decrease the daily bag limit from 5 fish to 3 fish in aggregate for walleye, sauger, and hybrids for all waters in 19 southern Wisconsin counties (Columbia, Dane, Dodge, Grant, Green, Iowa, Jefferson, Kenosha, Lafayette, Milwaukee, Ozaukee, Racine, Richland, Rock, Sauk, Sheboygan, Walworth, Washington, and Waukesha counties), and Lake Michigan tributaries and waters south of a line due east from the eastern terminus of Waldo boulevard in the City of Manitowoc. The minimum size restriction for walleye in the Kickapoo river downstream of the Gays Mills dam (Crawford county) will also change to 18 inches with a 15-inch minimum size restriction on sauger and hybrids in order to be consistent with Lower Wisconsin river regulations. The Mississippi and Wisconsin rivers (including Lake Wisconsin), Madison lakes including the Yahara River downstream to Dunkirk Dam, and Yellowstone Lake would not be affected by this proposal.
5. Increase the minimum size restriction from 40 to 50 inches for muskellunge in Rice and Stump lakes (Barron county).
6. Establish a protected slot for largemouth and smallmouth bass in Lilly lake (Brown county) that allows hook and line fishing from the first Saturday in May to the first Sunday in March,

- a daily bag limit of 3 in total, and no minimum length, except the possession of fish from 14 through 18 inches is prohibited and only 1 may be longer than 18 inches.
7. Reduce the daily bag limit from 25 to 10 fish in aggregate for panfish in Lilly lake (Brown county).
 8. Eliminate the 15-inch minimum size restriction on walleye, sauger and hybrids in the Lower Fox river (Brown county) to make regulations consistent with the adjacent waters of the Lower Fox river (Outagamie and Winnebago counties).
 9. Eliminate the minimum size restriction for largemouth and smallmouth bass in all waters of Burnett County except Namekagon, St. Croix, and Totagatic rivers which would retain a minimum size restriction of 14 inches, and all waters of Washburn County except Balsam, Birch, Red Cedar and Shell lakes, Trego Flowage, and Namekagon and Totagatic rivers which would retain a minimum size restriction of 14 inches. The minimum size restriction is eliminated for all Burnett and Washburn county border boundary lakes and flowages and the dates of the open seasons do not change.
 10. Modify hook and line fishing for catfish in all waters of Green Lake and Marquette counties, which includes a continuous open season for channel catfish and an open season from the first Saturday in May to September 30 for flathead catfish; a daily bag limit of 25 in total but only 1 may be flathead catfish regardless of whether caught on hook and line, set or bank pole, or setline; and no minimum size restriction except 30 inches for flathead catfish and possession of flathead catfish from 36 to 42 inches is prohibited.
 11. Re-establish a closed area for set or bank pole and setline fishing for catfish within Lake Winnebago system waters from Lake Butte des Morts upstream to Eureka dam.
 12. Re-establish an open area for set or bank pole and setline fishing for catfish on the Fox river 500 feet above the first dam upstream from Princeton to Wicks Landing at Fox River Drive (Green Lake and Marquette counties) from the Saturday nearest May 20 to September 30. There will be no bag limit, but only 1 may be a flathead catfish regardless of whether caught on hook and line, set or bank pole, or setline, and no minimum size restriction except 30 inches for flathead catfish and possession of flathead catfish from 36 to 42 inches is prohibited.
 13. Alter the boundaries of an existing fish refuge on the Peshtigo river (Marinette county) because the existing privately-owned foot bridge boundary marker will be removed, and extend the end date of the fish refuge from May 15 to May 31.
 14. Increase the minimum size restriction from 40 to 50 inches for three spotted muskellunge brood stock lakes: Archibald and Anderson lakes (Oconto county), and Big Elkhart lake (Sheboygan county).
 15. Eliminate the current 14-inch minimum size restriction for largemouth and smallmouth bass, and increase the minimum size restriction from 15 to 18 inches and decreases the daily bag limit from 5 fish to 3 fish for walleye, sauger, and hybrids in the Minocqua Chain (Oneida county).
 16. Add the Appleton Memorial pond (Outagamie county), the Kohler-Andrae State Park pond (Sheboygan county), and the Delafield Rearing pond (Waukesha county) to the State's urban fishing program.
 17. Establish a year-round fish refuge in the Milwaukee river within the fishway at the Thiensville-Mequon dam, located at river mile 20 (Ozaukee county).
 18. Increase the minimum size restriction from 40 to 50 inches for muskellunge in Redstone lake (Sauk county).
 19. Decrease the minimum size restriction from 28 to 18 inches and increase the daily bag limit from 1 fish to 3 fish for walleye, sauger, and hybrids in Black Dan and Island lakes (Sawyer county).
 20. Establish a protected slot size for largemouth and smallmouth bass in Glen and Squaw lakes (St. Croix county) that allows hook and line fishing from the first Saturday in May to the first Sunday in March with a bag limit of 3 fish in total and no minimum length, but the

possession of fish from 14 through 18 inches is prohibited, and only one may be longer than 18 inches.

Agency Procedures for Promulgation

Public hearings on April 11 in each county, Natural Resources Board final adoption, followed by legislative review

Description of any Forms (attach copies if available)

None

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