

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

The Wisconsin Natural Resources Board proposes an order to repeal NR 20.20(73)(d); amend NR 20.03(42), 20.10(10), 20.20(4)(h)2, (24)(c)1, (e)2, (h)1, (30)(b)2, (44)(c)1, (57)(e)2, (f)2, (i)1, 3, (73)(c) intro., 1, 2, (g)1, (j)4, (n)4, 20.33(5)(c); and create NR 20.10(10m), 20.20(4)(h)2m, (30)(e), (34)(b)3, (57)(e)4, (65)(b)3, and (68)(c)2, relating to fishing on the inland and outlying waters of Wisconsin.

FH-4-02

Analysis Prepared by the Department of Natural Resources

Statutory authority: ss. 29.014(1), 29.041, and 227.11(2), Stats.

Statutes interpreted: ss. 29.014(1) and 29.041, Stats.

Section 1 revises the definition of an “unattended” line to include a maximum distance from all lines within which anglers must remain at all times while fishing during the open water season.

Sections 2, 3, and 26 amend the registration deadline for sturgeon speared from the Lake Winnebago system from 6:00 p.m. on the day speared to 1:30 p.m. on the day speared and establish closed hours for sturgeon spearing from 12:30 p.m. to 6:30 a.m. of the following day.

Sections 4 and 5 establish a catch-and-release only season for brook trout on Whittlesey creek, Bark river, and their tributaries, Bayfield county.

Sections 6, 7, and 8 change the gamefish season from a continuous open season to a regular closed season (first Saturday in May to March 1) for Big Green lake, Green Lake county.

Section 9 increases the minimum length limit from 14” to 18” and reduces the daily bag limit from 5 in total to 1 in total for largemouth and smallmouth bass in Vern Wolf lake, Kenosha county.

Section 10 reduces the daily bag limit from 25 in total to 10 in total for panfish on Vern Wolf lake, Kenosha county.

Section 11 increases the minimum length limit from 14” to 18” for largemouth and smallmouth bass and reduces the daily bag limit from 5 in total to 1 in total on Greater Bass lake, Langlade county.

Section 12 increases the minimum length limit from 45” to 50” for muskellunge on Clear lake, Oneida county.

Section 13 increases the minimum length limit from 34” to 40” for muskellunge on Moose lake, Sawyer county.

Section 14 increases the minimum length limit from 34” to 45” for muskellunge on the Chippewa Flowage, Sawyer county.

Section 15 reduces the daily bag limit from 25 in total to 10 in total for panfish on Sissabagama lake, Sawyer county.

Section 16 eliminates the 15” minimum length limit and establishes a 14” to 18” protected slot limit with only one fish longer than 18” allowed for walleye on Winter lake and the Brunet River from Winter lake upstream to the Lake Loretta Dam, Sawyer county.

Section 17 increases the minimum length limit from 15” to 28” and reduces the daily bag limit from 5 to 1 for walleye on Black Dan, Clear, and Island lakes, Sawyer county.

Section 18 establishes a 14” to 18” protected slot limit and reduces the daily bag limit from 5 to 3 with only one fish longer than 18” for largemouth and smallmouth bass on Lulu lake, Walworth county.

Section 19 establishes a 14” to 18” protected slot limit and reduces the daily bag limit from 5 to 3 with only one fish longer than 18” for largemouth and smallmouth bass on Eagle Spring lake, Waukesha county.

Sections 20, 21, and 22 modify the daily bag limit for cisco and whitefish to include lake herring and hybrids, and change the daily bag limit from 25 pounds plus one fish to 10 fish in total for cisco (lake herring), whitefish, and hybrids on all Great Lakes waters.

Section 23 increases the minimum length limit from 40” to 50” for muskellunge on Green Bay, Lake Michigan, and Lake Michigan tributaries north of Waldo blvd. in the city of Manitowoc, all tributary streams, rivers and ditches to Green Bay upstream to the first dam or lake.

Section 24 changes the open season from July 1 to May 31 (June closure) to June 16 to April 30 (closed May 1 to June 15) for yellow perch on Lake Michigan.

Section 25 increases the minimum length limit from 15” to 20” and reduces the daily bag limit from 5 to 1 for brook trout on Lake Superior. This section also eliminates the 15” minimum length limit for salmon on Lake Superior.

SECTION 1. NR 20.03(42) is amended to read:

NR 20.03(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.

SECTION 2. NR 20.10(10) is amended to read:

NR 20.10(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 ~~6:00~~ 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.

SECTION 3. NR 20.10(10m) is created to read:

NR 20.10(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.

SECTION 4. NR 20.20(4)(h)2 is amended to read:

(4) BAYFIELD (for species or waters not listed, including Lake Superior, see sub. (73))

| | | | | | |
|----------------------|---|-------------------|---|--|--|
| (h) Trout and salmon | 2. Bono creek, Boyd creek, Onion river downstream from Lake Superior District Power Company power line (T49N R4W S6), Pikes creek downstream from Red dam, Pine creek downstream from its confluence with Little Pine Creek, Whittlesey creek downstream from Town Hall road | a. Hook and line. | First Saturday in May at 5:00 a.m. to November 15 | 5 in total but only 2 may be brown trout longer than 15" and only 1 may be a rainbow trout | Brook trout 8, brown trout 10, salmon 12, rainbow trout 26 |
|----------------------|---|-------------------|---|--|--|

SECTION 5. NR 20.20(4)(h)2m is created to read:

(4) BAYFIELD (for species or waters not listed, including Lake Superior, see sub. (73))

| | | | | | |
|----------------------|---|-------------------|---|--|---|
| (h) Trout and salmon | 2m. Bark river and all its tributaries, Whittlesey creek downstream from Ondossagon/ Town Hall road and all its tributaries | a. Hook and line. | First Saturday in May at 5:00 a.m. to November 15 | 5 in total but only 2 may be brown trout longer than 15", 1 may be a rainbow trout, and all brook trout caught shall be immediately released | Brown trout 10, salmon 12, rainbow trout 26 |
|----------------------|---|-------------------|---|--|---|

SECTION 6. NR 20.20(24)(c)1 is amended to read:

(24) GREEN LAKE (for species or waters not listed, see sub. (73))

| | | | | | |
|------------------------------------|--|-------------------|------------|------------|----|
| (c) Largemouth and smallmouth bass | 1. Big Green lake , Maria lake, Puckaway lake, Puckyan Puckyan river | a. Hook and line. | Continuous | 5 in total | 14 |
|------------------------------------|--|-------------------|------------|------------|----|

SECTION 7. NR 20.20(24)(e)2 is amended to read:

(24) GREEN LAKE (for species or waters not listed, see sub. (73))

| | | | | | |
|-------------------|--|-------------------|------------|---|----|
| (e) Northern pike | 2. Big Green lake , Fox river upstream from the dam above Princeton (excluding Puckaway lake), Maria lake | a. Hook and line. | Continuous | 2 | 26 |
|-------------------|--|-------------------|------------|---|----|

SECTION 8. NR 20.20(24)(h)1 is amended to read:

(24) GREEN LAKE (for species or waters not listed, see sub. (73))

| | | | | | |
|---------------------------------|---|-------------------|------------|------------|----|
| (h) Walleye, sauger and hybrids | 1. Big Green lake , Fox river upstream from the first dam above Princeton, Maria lake, Puckaway lake | a. Hook and line. | Continuous | 5 in total | 15 |
|---------------------------------|---|-------------------|------------|------------|----|

SECTION 9. NR 20.20(30)(b)2 is amended to read:

(30) KENOSHA (for species or waters not listed, see sub. (73))

| | | | | | |
|------------------------------------|---------------------------------------|------------------|----------------------------------|------------|----|
| (b) Largemouth and smallmouth bass | 2. Silver lake, <u>Vern Wolf lake</u> | a. Hook and line | First Saturday in May to March 1 | 1 in total | 18 |
|------------------------------------|---------------------------------------|------------------|----------------------------------|------------|----|

SECTION 10. NR 20.20(30)(e) is created to read:

(30) KENOSHA (for species or waters not listed, see sub. (73))

| | | | | | |
|-------------|-------------------|------------------|------------|-------------|------|
| (e) Panfish | 1. Vern Wolf lake | a. Hook and line | Continuous | 10 in total | None |
|-------------|-------------------|------------------|------------|-------------|------|

SECTION 11. NR 20.20(34)(b)3 is created to read:

(34) LANGLADE (for species or waters not listed, see sub. (73))

| | | | | | |
|------------------------------------|----------------------|------------------|---|---|---|
| (b) Largemouth and smallmouth bass | 3. Greater Bass lake | a. Hook and line | First Saturday in May to day preceding the third Saturday in June | 0 | — |
|------------------------------------|----------------------|------------------|---|---|---|

SECTION 18. NR 20.20(65)(b)3 is created to read:

(65) WALWORTH (for species or waters not listed, see sub. (73))

| | | | | | |
|------------------------------------|--------------|------------------|----------------------------------|---|---|
| (b) Largemouth and smallmouth bass | 3. Lulu lake | a. Hook and line | First Saturday in May to March 1 | 3 in total, only 1 may be longer than 18" | No minimum length but the possession of fish from 14" through 18" is prohibited |
|------------------------------------|--------------|------------------|----------------------------------|---|---|

SECTION 19. NR 20.20(68)(c)2 is created to read:

(68) WAUKESHA (for species or waters not listed, see sub. (73))

| | | | | | |
|------------------------------------|----------------------|------------------|----------------------------------|---|---|
| (c) Largemouth and smallmouth bass | 2. Eagle Spring lake | a. Hook and line | First Saturday in May to March 1 | 3 in total, only 1 may be longer than 18" | No minimum length but the possession of fish from 14" through 18" is prohibited |
|------------------------------------|----------------------|------------------|----------------------------------|---|---|

SECTION 20. NR 20.20(73)(c)(intro.) and 1 is amended to read:

(73) SPECIES OR WATERS NOT LISTED IN SUBS. (1) TO (72)

| | | | | | |
|--|--|------------------|------------|--|------|
| (c) Cisco and (lake herring), whitefish and their hybrids | 1. Green Bay, major Green Bay tributaries, Lake Michigan, Lake Superior, Lake Michigan tributaries | a. Hook and line | Continuous | 25 pounds and one fish in total <u>10 in total</u> | None |
|--|--|------------------|------------|--|------|

SECTION 21. NR 20.20(73)(c)2 is amended to read:

(73) SPECIES OR WATERS NOT LISTED IN SUBS. (1) TO (72)

| | | | | | |
|--|---|------------------|----------------------------------|--|------|
| (c) Cisco and (lake herring), whitefish and their hybrids | 2. All other tributary streams, rivers and ditches to Green Bay upstream to the first dam or lake | a. Hook and line | First Saturday in May to March 1 | 25 pounds and one fish in total <u>10 in total</u> | None |
|--|---|------------------|----------------------------------|--|------|

SECTION 22. NR 20.20(73)(d) is repealed.

SECTION 23. NR 20.20(73)(g)1 is amended to read:

(73) SPECIES OR WATERS NOT LISTED IN SUBS. (1) TO (72)

| | | | | | |
|-----------------|--|------------------|--|---|-------------------------|
| (g) Muskellunge | 1. Green Bay, Lake Michigan and Lake Michigan tributaries north of a line running due east from the eastern terminus of Waldo boulevard in the city of Manitowoc, all tributary streams, rivers and ditches to Green Bay upstream to the first dam or lake | a. Hook and line | Saturday nearest Memorial day to November 30 | 1 | 40 <u>50</u> |
|-----------------|--|------------------|--|---|-------------------------|

SECTION 24. NR 20.20(73)(j)4 is amended to read:

(73) SPECIES OR WATERS NOT LISTED IN SUBS. (1) TO (72)

| | | | | | |
|-------------|---|------------------|--|--|------|
| (j) Panfish | 4. Lake Michigan, Lake Michigan tributaries | a. Hook and line | Continuous, but the open season for yellow perch is July 1 to May 31 <u>June 16 to April 30</u> | 25 in total but only 5 may be yellow perch | None |
|-------------|---|------------------|--|--|------|

SECTION 25. NR 20.20(73)(n)4 is amended to read:

(73) SPECIES OR WATERS NOT LISTED IN SUBS. (1) TO (72)

| | | | | | |
|----------------------|------------------|------------------|--|--|--|
| (n) Trout and salmon | 4. Lake Superior | a. Hook and line | Continuous except the open season for lake trout is December 1 to September 30 | 10 in total but only 5 may be salmon and only 5 may be trout, of which only 1 may be a rainbow trout, <u>only 1 may be a brook trout</u> and only 3 may be lake trout with only 1 lake trout longer than 25 inches | Rainbow trout 26, <u>brook trout 20</u> , other trout and salmon 15, <u>salmon none</u> |
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SECTION 26. NR 20.33(5)(c) is amended to read:

NR 20.33(5)(c) *Effective date of season closure.* The season closure shall take effect at ~~6:00~~ 12:30 p.m. on the day following issuance of the department press release announcing the season closure in par. (b).

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on May 22, 2002.

The foregoing rules shall take effect on April 1, 2003, except sections 2, 3, and 38, which will take effect on the first day of the month following publication, and sections 4 and 5, which will take effect on March 1, 2003, as provided in s. 227.22(2)(b), Stats.

Dated at Madison, Wisconsin, _____

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By _____
Darrell Bazzell, Secretary

(SEAL)