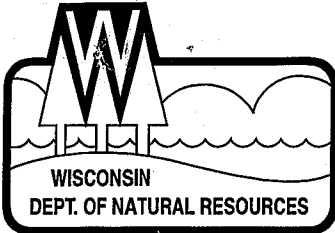


Clearinghouse Rule 00-033

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES



Tommy G. Thompson, Governor
George E. Meyer, Secretary

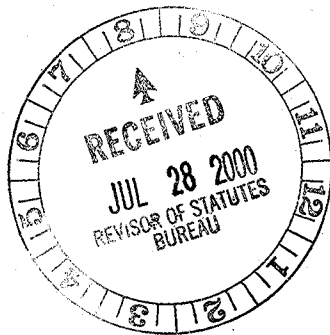
Box 7921
101 South Webster Street
Madison, Wisconsin 53707-7921
TELEPHONE 608-266-2621
FAX 608-267-3579
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STATE OF WISCONSIN)
) ss
DEPARTMENT OF NATURAL RESOURCES)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, George E. Meyer, Secretary of the Department of Natural Resources and custodian of the official records of said Department, do hereby certify that the annexed copy of Natural Resources Board Order No. FH-4-00 was duly approved and adopted by this Department on May 23, 2000 and June 28, 2000. I further certify that said copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at the Natural Resources Building in the City of Madison, this 25th day of July, 2000



George E. Meyer
George E. Meyer, Secretary

(SEAL)

00-033

3/1/01
4/1/01



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

The Wisconsin Natural Resources Board adopts an order to repeal NR 22.04(5); amend NR 20.03(18), 20.20(33)(am)1., (b)2., (g)2., (57)(d)1., (73)(i)1. and 2., and (o)2. and 3.; repeal and recreate NR 20.15 and 22.04(4); and create NR 20.20(57)(f)2., (67)(ag), (am) and (as), 22.04(4), 26.10(4) and 26.31 relating to sport fishing regulations on inland, outlying and boundary waters and fish refuges on inland waters

FH -4- 00

Analysis Prepared by 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 adds several streams and stream reaches to the definition of "Lake Michigan tributaries" to include waters that are accessible to anadromous trout and salmon;

Section 2 modifies the special early catch and release trout season;

Section 3 establishes special regulations for catfish, largemouth and smallmouth bass, and walleye, sauger and their hybrids in Yellowstone lake, Lafayette county, with a daily bag limit of 2 of these species in total, with a minimum length limit of 12" and a maximum length limit of 15";

Section 4 establishes a minimum length limit of 18 inches and a daily bag limit of 1 for largemouth and smallmouth bass on Christner lake, Sawyer county;

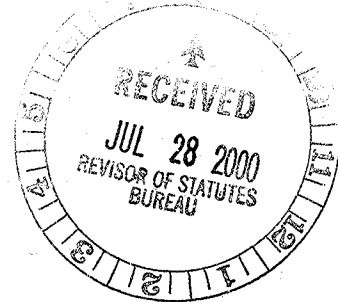
Section 5 reduces the daily bag limit from 25 in total to 10 in total for panfish on Christner, Moose and Nelson lakes, Sawyer county;

Section 7 establishes a minimum length limit of 18 inches and a daily bag limit of 1 for largemouth and smallmouth bass on Lake Twelve; establishes a 40 inch minimum length limit with a daily bag limit of 1 for northern pike on Big Cedar and Gilbert lakes; and reduces the daily bag limit from 25 in total to 10 in total for panfish on Lake Twelve, Washington county;

Section 8 establishes a minimum length limit of 26 inches and a daily bag limit of 2 for northern pike on Lake Michigan waters south of a line running east from the eastern terminus of Waldo boulevard in the city of Manitowoc and on the entire Manitowoc river;

Sections 9 establishes a minimum length limit of 15 inches and a daily bag limit of 5 for walleye, sauger and hybrids on Lake Michigan waters south of U.S. Highway 10;

Sections 10 and 11 establish a daily bag limit of 25 of each species for white or yellow bass, crappies, rock bass, sunfish or bluegills and yellow perch on the Wisconsin-Iowa boundary waters;



Section 12 establishes a fish refuge from July 15 to October 31 on the Bayfield Hatchery outlet ditch, Bayfield county;

Section 13 established a fish refuge on Yellowstone lake sub-impoundment and rearing pond, Lafayette county, at any time while posted closed to fishing with department signs;

SECTION 1. NR 20.03(18) is amended to read:

NR 20.03(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 ~~Chair Factory Grafton dam in the village of Grafton, Milwaukee and Ozaukee counties~~ and tributaries to the Milwaukee river upstream to the first dam or lake; Menomonee river upstream to the ~~45th street drop structure Lepper dam in the city of Milwaukee, Milwaukee county~~ 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.

SECTION 2. NR 20.15 is repealed and recreated to read:

NR 20.15 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, Fourmile 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, Mecan 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 Leopolis 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.

SECTION 3. NR 20.20(33)(am)1., (b)2. and (g)2. are amended to read:

(33) LAFAYETTE (for species or waters not listed, see sub. (73))

(am) Catfish	1. Yellowstone lake	a. Hook and line.	First Saturday in May to March 1	<u>0 2 in total with largemouth bass, smallmouth bass, walleye, sauger and hybrids</u>	-- <u>Minimum length limit 12"; maximum length limit 15"</u>
(b) Largemouth and smallmouth bass	2. Yellowstone lake	a. Hook and line.	First Saturday in May to March 1	<u>0 2 in total with catfish, walleye, sauger and hybrids</u>	-- <u>Minimum length limit 12"; maximum length limit 15"</u>
(g) Walleye, sauger and hybrids	2. Yellowstone lake	a. Hook and line.	First Saturday in May to March 1	<u>0 2 in total with catfish, largemouth bass and smallmouth bass</u>	-- <u>Minimum length limit 12"; maximum length limit 15"</u>

SECTION 4. NR 20.20(57)(d)1. is amended to read:

(57) SAWYER (for species or waters not listed, see sub. (73))

(d) Largemouth and smallmouth bass	1. Black lake, <u>Christner lake</u>	a. Hook and line.	First Saturday in May to Friday preceding third Saturday in June	0	--
			Third Saturday in June to March 1	1 in total	18

SECTION 5. NR 20.20(57)(f)2. is created to read

(57) SAWYER (for species or waters not listed, see sub. (73))

(f) Panfish	2. Christner lake, Moose lake, Nelson lake	a. Hook and line.	Continuous	10 in total	None
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SECTION 7. NR 20.20(67)(ag), (am) and (as) are created to read:

(67) WASHINGTON (for species or waters not listed, see sub. (73))

(ag) Largemouth and smallmouth bass	1. Lake Twelve	a. Hook and line.	First Saturday in May to March 1	1 in total	18
(am) Northern pike	1. Big Cedar and Gilbert lakes	a. Hook and line.	First Saturday in May to March 1	1 in total	40
(as) Panfish	1. Lake Twelve	a. Hook and line.	Continuous	10 in total	None

SECTION 8. NR 20.20(73)(i)1. and 2. are amended to read:

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

(i) Northern pike	1. Green Bay, major Green Bay tributaries, Lake Michigan <u>waters north of a line running due east from the eastern terminus of Waldo boulevard in the city of Manitowoc</u> , Lake Michigan tributaries north of U.S. highway 10 <u>except Manitowoc river</u>	a. Hook and line	Continuous	5	None
	2. Manitowoc river, all <u>other</u> Lake Michigan tributaries south of U.S. highway 10, Lake Michigan <u>waters south of a line running due east from the eastern terminus of Waldo boulevard in the city of Manitowoc</u>	a. Hook and line.	Continuous	2	26

SECTION 9. NR 20.20(73)(o)2. and 3. are amended to read:

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

(o) Walleye, sauger and hybrids	2. All other waters of Green Bay, <u>major Green Bay tributaries, Lake Michigan, major Green Bay tributaries</u> waters north of a line running due east from the eastern terminus of Waldo boulevard in the city of Manitowoc	a. Hook and line	Continuous	3 in total	None
	3. Lake Michigan tributaries, <u>Lake Michigan waters south of a line due east from the eastern terminus of Waldo boulevard in the city of Manitowoc</u>	a. Hook and line	Continuous	5 in total	15

SECTION 10. NR 22.04(4) is repealed and recreated to read:

Kind of fish and locality	Open season (both dates inclusive)	Daily bag limit	Minimum length (inches)
(4) Panfish			
(a) White and yellow bass	Continuous	25 in total	No size limit
(b) Crappies	Continuous	25	No size limit
(c) Rock bass	Continuous	25	No size limit
(d) Bluegill and sunfish	Continuous	25 in total	No size limit
(e) Yellow perch	Continuous	25	No size limit

SECTION 11. NR 22.04(5) is repealed.

SECTION 12. NR 26.10(4) is created to read:

NR 26.10(4) BAYFIELD COUNTY. *Bayfield hatchery outlet ditch.* That part of the Bayfield Hatchery outlet ditch from the Bayfield hatchery downstream to its confluence with Pike's creek.

SECTION 13. NR 26.31 is created to read:

NR 26.31 Fish refuges. The following described areas are created and established as fish refuges and no person may take, disturb, catch, capture, kill or fish for fish in any manner at any time when posted closed to fishing with department signs:

(33) LAFAYETTE COUNTY. *Yellowstone lake sub-impoundment and rearing pond.* Those waters known as Yellowstone lake sub-impoundment and Yellowstone lake rearing pond located immediately upstream from Yellowstone lake.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on May 23, 2000 and June 28, 2000.

The foregoing rules shall take effect on April 1, 2001 except section 2, which shall take effect on March 1, 2001 as provided in s. 227.22(2)(b), Stats.

Dated at Madison, Wisconsin, _____

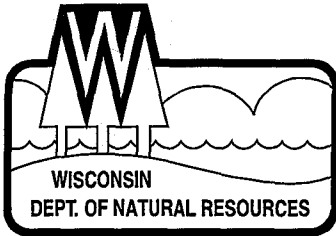
July 25, 2000

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By _____

George E. Meyer
George E. Meyer, Secretary

(SEAL)



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary

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July 24, 2000

Mr. Gary L. Poulson
Assistant Revisor of Statutes
131 West Wilson Street - Suite 800
Madison, WI

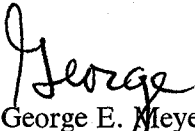


Dear Mr. Poulson:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. FH-4-00. These rules were reviewed by the Assembly Committee on Natural Resources and the Senate Committee on Agriculture, Environmental Resources and Campaign Finance Reform pursuant to s. 227.19, Stats. Summaries of the final regulatory flexibility analysis and comments of the legislative review committees are also enclosed.

You will note that this order takes effect following publication. Kindly publish it in the Administrative Code accordingly.

Sincerely,


George E. Meyer
Secretary

Enc.