Chapter NR 21

WISCONSIN-MINNESOTA BOUNDARY WATERS

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Note: Chapter NR 21 as it existed on February 28, 1979, was repealed and a new chapter NR 21 was created effective March 1, 1979. Corrections made under s. 13.93 c2md cbd 7., Stats., Register, January, 1999, No. 517.

NR 21.01 Purpose. c1d This chapter, along with other applicable rules and statutes, regulates fishing in the Wisconsin-Minnesota boundary waters.

c2d The rules contained in this chapter are not intended to, nor do they authorize, the sale or introduction into interstate commerce for purposes of human consumption or use fish taken from the Wisconsin-Minnesota boundary waters which fail to meet or comply with food and drug administration cFDAd standards.

History: Cr. Register, February, 1979, No. 278, eff. 3-1-79.

NR 21.015 License waiver. c1d On the first Saturday and consecutive Sunday of June and the third Saturday and consecutive Sunday of January each year, no fishing license is required to fish the Wisconsin-Minnesota boundary waters.

c2d The license waiver of sub. c1d does not apply to commercial fishing license requirements.

History: Cr. Register, April, 1987, No. 376, eff. 5-1-87; am. c1d, Register, April, 1989, No. 400, eff. 5-1-89; am. c1d, Register, May, 1995, No. 473, eff. 6-1-95; CR 13-001: am. c1d Register August 2013 No. 692, eff. 9-1-13.

NR 21.02 Definitions. Except as otherwise specifically defined in the statutes, the following terms, for the purposes of this chapter, are defined as follows:

c1d XBait netY has the meaning given in s. NR 22.02 c1d.

c2d XBuffalo netY has the meaning given in s. NR 22.02

c3d XClosed seasonY means that period of the year not included in the open season for each species of fish as provided in this chapter.

c4d XCommercial fishY means rough and detrimental fish as defined by this chapter, shovelnose chacklebackd sturgeon 25 inches long or longer only when taken on setlines, catfish 15 inches long or longer or dressed catfish at least 12 inches long and bullheads of any length when taken with commercial fishing gear and all taken while fishing under a commercial fishing license on the Mississippi River.

c5d XCommercial fishing gearY or Xcommercial gearY is that equipment specifically authorized for use in commercial fishing by this chapter.

c6d XCommercial fishing licensesY means those licenses issued pursuant to ss. 29.523 and 29.533, Stats.

c7d XConstant net attendanceY means the continuous presence of a commercial fisher who remains on the water or ice

within sight of his or her nets at all times without the aid of vision magnifying devices such as binoculars or spotting telescopes, except that after a net has been drawn, a licensed commercial fisher may temporarily leave the net to transport fish taken from the net to a landing.

c8d XDaily bag limitY has the meaning given in s. NR 20.03 c8d for fish and for turtles means the maximum number specified by rule of a turtle species which may be reduced to a person[s possession in a single day.

c9d XDead set gill netY means a gill net that is set and allowed to catch fish without being moved and without constant net attendance by the operator.

c10d XDetrimental fishY means all species of Asian carp, including bighead, silver, grass and black carp.

c11d XDressed fishY means a fish with the head and viscera removed but the tail on.

c12d XDrift netY means a net of any type that is not staked or anchored at one or both ends and is free to drift or move under the influence of wind or water current, whether or not the net has constant net attendance.

c13d XDrive nettingY means a method of operating a net so that the operator is in constant net attendance and uses boats, motors, oars, plungers or other devices to create sound or vibrations in the water so as to chase, move or drive fish in the direction of the net.

c14d XDrive set gill netY means a gill net that is operated without being moved and has constant net attendance.

c15d XFisherY means any person engaged in fishing.

c16d XFrame netY or Xfyke netY has the meaning given in s. NR 22.02 c15d.

c17d XGill netY has the meaning found in s. 29.522 c2d cbd, Stats.

c18d XHooking Y means, as used in s. NR 21.13, any activity which utilizes a dull-pointed, metal, barbless hook attached to a staff to remove a turtle from a body of water.

c19d XHoop netY has the meaning given in s. NR 22.02 c18d.

c20d XLeadY has the meaning given in s. NR 22.02 c19d.

c21d XLengthY for the purposes of measuring a fish, unless otherwise specified, means the distance measured in a straight line from the tip of the snout to the outermost end of the tail with the tail or caudal fin fully extended.

c22d XLower pool 7Y means that part of the Mississippi

River bounded on the north by an imaginary line at a compass bearing of 65 1{2 degrees from river mile marker 709.5 to the north end of the Burlington Northern and Santa Fe main railroad track bridge that crosses the Black River; on the east by the Burlington Northern and Santa Fe main railroad tracks; on the south by the U.S. army corps of engineers lock and dam 7 dike; and on the west by the state line boundary between Wisconsin and Minnesota.

c23d XLower pool 8Y means that part of the Mississippi River bounded on the north by state highway 16; on the east by the Burlington Northern and Santa Fe main railroad tracks; on the south by the U.S. army corps of engineers lock and dam 8 dike; and on the west by the state line boundary between Wisconsin and Minnesota.

c24d XMinnowsY means all species defined as such in s. 29.001, Stats., and bullheads not exceeding four inches in length.

c25d XMississippi RiverY means all waters lying between the Chicago, Milwaukee, St. Paul and Pacific railroad tracks on the Minnesota side of the river, and the Burlington Northern and Santa Fe railroad tracks lying on the Wisconsin side of the river. Mississippi River includes Lake Onalaska and Lake Pepin.

c26d XPossession limitY has the meaning given in s. NR 20.03 c31d for fish, except in s. NR 21.13 where Xpossession limitY means the maximum number of a turtle species or group of turtle species set in s. NR 21.13 which may be possessed by a person at any time.

c27d XRough fishY means all species defined as such in s. 29.001, Stats., and detrimental fish including amur carp which is also known as grass carp cCtenopharyngodon idellad.

c28d XSeineY has the meaning found in s. 29.522 c3d, Stats.

c29d XSeine haulY means a single setting, retrieval and emptying of a seine, including placement of the net, driving fish in the direction of the net, drawing or lifting the net, or both, to entrap fish by retrieving one or both ends of the net, bagging the fish in the net, sorting and removal of the game fish in the net and removal of all fish from the net.

Note: A single seine haul may take more than one day to complete from the time the net is set until all fish have been removed from the net.

c30d XSetlineY has the meaning given in s. NR 20.03 c36d and is also commonly known as a trotline.

c31d XSlat netY or Xbasket trapY has the meaning given in s. NR 22.02 c28d.

c32d XSport fishingY or XanglingY means any fishing, including the methods commonly known as hook and line fishing or angling, which is conducted without a commercial fishing license and with other than commercial fishing gear, but does not include the taking of turtles.

c33d XStretch measureY means the extension measure of net mesh size whenever the size of mesh of a net is specified and is the distance between the extreme angles of any single mesh with the mesh fully stretched.

c34d XSupervisorY means any department employee assigned or designated to oversee fishing activities conducted under this chapter.

 ${\bf c35d}$ XTrammel netY has the meaning found in s. 29.522 ${\bf c2d}$ cad, Stats.

c36d XTurtleY means a reptile having horny, toothless jaws and a body enclosed in a bony or leathery shell into which the head, limbs and tail may be partially or fully withdrawn, and includes parts of turtles and turtle eggs.

c37d XUpper pool 7Y means that part of the Mississippi

River bounded on the north by the U.S. army corps of engineers lock and dam 6 dike; on the east by the Burlington Northern and Santa Fe main railroad tracks; on the south by an imaginary line at a compass bearing of 651{2 degrees from river mile marker 709.5 to the north end of the Burlington Northern and Santa Fe main railroad track bridge that crosses the Black River; and on the west by the state line boundary between Wisconsin and Minnesota.

c38d XUpper pool 8Y means that part of the Mississippi River bounded on the north by the U.S. army corps of engineers lock and dam 7 dike, on the east by the Burlington Northern and Santa Fe main railroad tracks, on the south by state highway 16, and on the west by the state line boundary between Wisconsin and Minnesota.

c39d XWisconsin-Minnesota boundary watersY for sport fishing purposes, means all waters of the Mississippi River, Lake St. Croix, the St. Croix River from the Burlington Northern and Santa Fe railroad bridge at Prescott, as far in a northerly direction as the St. Croix River forms and acts as boundary waters between the states of Wisconsin and Minnesota, and the St. Louis River from the north-south Wisconsin-Minnesota boundary line downstream to the Lake Superior beach line in the Superior entry including St. Louis Bay, Superior Bay, Little Pokegama Bay, Pokegama Bay upstream to highway 105, Kimballs Bay, Howard Bay, Allouez Bay and all other Bays connected to the St. Louis River. For the purpose of taking turtles and commercial fishing, XWisconsin-Minnesota boundary watersY means all waters from the Burlington Northern and Sante Fe railroad tracks on the east side of the Mississippi River and from the east bank of the St. Croix River in Wisconsin, extending west to the state line between Wisconsin and Minnesota.

History: Cr. Register, February, 1979, No. 278, eff. 3-1-79; am. c2d Register, April, 1983, No. 328, eff. 5-1-83; r. and recr. c9d, Register, February, 1991, No. 422, eff. 3-1-91; am. c2d. Register, December, 1993, No. 456, eff. 1-1-94; cr. c4md, c6md and c15md, am. c10d, Register, February, 1997, No. 494, eff. 3-1-97; am. c2d, c4md, c9d and c16d and cr. c4gd, c4pd, c5ed, c5md, c5td, c6gd, c7md, c7rd, c11fd, c11md, c15pd and c15vd, Register, October, 1998, No. 514, eff. 11-1-98; am. c16d, Register, May, 1999, No. 521, eff. 6-1-99; CR 04-024; am. c4md and c10d Register December 2004 No. 588, eff. 1-1-05; CR 10-053: r. and recr. Register December 2010 No. 660, eff. 1-1-11; renumbering of c15d and c16d and correction in c30d made under s. 13.92 c4d cbd 1. and 7., Stats., Register December 2010 No. 660.

Subchapter I — Sport Fishing

NR 21.03 Reciprocity, sport fishing or spearing and dip netting. All residents of Wisconsin and Minnesota holding a resident fishing license from their respective states or residents other than Wisconsin and Minnesota holding an angling or sport fishing license issued by either state, may fish in any of the waters of the Mississippi river lying between the Burlington Northern and Santa Fe railroad tracks on the Wisconsin side of the river and the Chicago, Milwaukee, St. Paul and Pacific railroad tracks on the Minnesota side of the river, including all sloughs and backwaters, bays and newly-extended water areas connected with the main channel of the Mississippi river by a channel which is navigable at periods when the water is approximately equal to normal pool elevation as created by the U.S. department of the army, and in the waters of Lake St. Croix, and the St. Croix river and the St. Louis river as defined in s. NR 21.02 c39d. This reciprocity applies only to sport fishing, spearing, dip netting, and the taking of minnows and crayfish for such fishing.

History: Cr. Register, February, 1979, No. 278, eff. 3-1-79; am. Register, October, 1998, No. 514, eff. 11-1-98; CR 10-053: am. Register December 2010 No. 660, eff. 1-1-11.

NR 21.04 Sport fishing; seasons and limits. All regulations applicable to sport fishing are as follows unless expressly provided elsewhere in this chapter or the law. c23.11, 29.041d

Kind of fish and locality	Open season cboth dates inclusived	Daily bag limit	Minimum length cinchesd
c1d LARGEMOUTH AND SMALLMOUTH BASS			
cad St. Louis river	Saturday preceding Memorial Day to March 1	5 in aggregate	14
cbd St. Croix river upstream from the dam at St. Croix Falls	Saturday preceding Memorial Day to, but not including, the second Monday in	5 in aggregate	14
	September Second Monday in September to March 1	0	
ccd St. Croix river downstream from the dam at St. Croix Falls to the highway y10 bridge at Prescott	Saturday preceding Memorial Day to March 1	5 in aggregate	14
cdd Mississippi river	Continuous	5 in aggregate	14
c2d WALLEYE AND SAUGER			
cad St. Croix river upstream of the St. Croix Falls dam	Saturday nearest May 1 to March 1	6 in aggregate	No size limit for sauger, 15 for walleye
cbd St. Croix river from the St. Croix Falls dam downstream to Prescott	Saturday nearest May 1 to March 1	4 in aggregate	No size limit for sauger, 15 for walleye and only one walleye or sauger may be longer than 20
ccd Mississippi river			
1. Pools 3 to 8	Continuous	4 in aggregate	No size limit for sauger, 15 for walleye and only one walleye or sauger may be longer than 20
2. Pool 9	Continuous	6 in aggregate	No size limit for sauger, 15 for walleye except that possession of walleye from 20 to 27 is prohibited and only one walleye may be longer than 27
cdd St. Louis river	Saturday 2 weeks prior to the Saturday nearest Memorial Day to March 1	2 in aggregate	No size limit for sauger, 15 for walleye
c3d NORTHERN PIKE			
cad St. Croix river upstream of the St. Croix Falls dam	Saturday nearest May 1 to March 1	5	No size limit
camd St. Croix river from the St. Croix Falls dam downstream to Prescott $$	Saturday nearest May 1 to March 1	3	No size limit except only one may be longer than 30
cbd Mississippi river from Prescott downstream		2	
Pools 3 to 9 ccd St. Louis river	Continuous Saturday 2 weeks prior to the Saturday	3	No size limit, but only one may be longer than 30 No size limit
	nearest Memorial Day to March 1		
c4d SUNFISH AND BLUEGILLS COMBINED			
cad Mississippi river Pools 3 to 9, St. Croix river from the St. Croix Falls dam downstream to Prescott including Lake St. Croix	Continuous	15 in total	No size limit
cbd St. Croix river upstream of the St. Croix Falls dam, St. Louis river	Continuous	25 in total	No size limit
c4gd WHITE AND YELLOW BASS COMBINED			
cad Mississippi river Pools 3 to 9, St. Croix river from the St. Croix Falls dam downstream to Prescott including Lake St. Croix	Continuous	10 in total	No size limit
cbd St. Croix river upstream of the St. Croix Falls dam, St. Louis river	Continuous	25 in total	No size limit
c4md CRAPPIES, YELLOW PERCH			
cad Mississippi river Pools 3 to 9, St. Croix river from the St. Croix Falls dam downstream to Prescott including Lake St. Croix	Continuous	15 of each	No size limit
cbd St. Croix river upstream of the St. Croix Falls dam, St. Louis river	Continuous	25 of each	No size limit
c4rd ROCK BASS			
cad All boundary waters	Continuous	25 of each	No size limit
c5d CATFISH			
cad St. Louis River and St. Croix river upstream of the St. Croix Falls dam		10.1	
3. Hook and line4. Bow and arrow, crossbow	Continuous Saturday nearest April 21 to March 1	10 in aggregate 5 channel, 1 flathead	No size limit No size limit
5. By hand	June 1 to August 31	5 channel, 1 flathead	No size limit
camd St. Croix river from the St. Croix Falls dam downstream to Prescott $$			

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Kind of fish and locality	Open season cboth dates inclusived	Daily bag limit	Minimum length cinchesd
1. Hook and line	Continuous	5 channel, 2 flathead	None except only one channel catfish longer than 24 may be kept and only one flathead catfish longer than 24 may be kept
2. Bow and crossbow	Saturday nearest April 21 to March 1	5 channel, 1 flathead	None except only one channel catfish longer than 24 may be kept and only one flathead catfish longer than 24 may be kept
3. By hand	June 1 to August 31	5 channel, 1 flathead	None except only one channel catfish longer than 24 may be kept and only one flathead catfish longer than 24 may be kept
cbd Mississippi river from Prescott downstream			•
1. Hook and line			
a. Pools 3 to 9	Continuous	10 in aggregate	No size limit, except that only one may be longer than 30
2. Bow and arrow, crossbow	Saturday nearest April 21 to March 1	5 channel, 1 flathead	No size limit
3. By hand	June 1 to August 31	5 channel, 1 flathead	No size limit
c6d BULLHEADS	Continuous	No bag limit	No size limit
c7d LAKE STURGEON			
cad St. Croix river downstream from the dam at St. Croix Falls	First Saturday in September to September 30	1 per season	60 inches
	June 16 to Friday preceding the first Sat- urday in September and October 1 to March 1	0, Catch-and- release only	-
cbd Mississippi river downstream from the Red Wing dam, St. Louis river	June 16 to April 14	0, Catch-and-re- lease only	
ccd Mississippi river from the Red Wing dam upstream, St. Croix river upstream from the dam at St. Croix Falls cto the dam at Gordon flowage in Douglas countyd c8d SHOVELNOSE STURGEON	June 16 to March 1	0, Catch-and-re- lease only	_
cad Mississippi river from the Red Wing dam upstream and the St. Croix and St. Louis rivers	June 16 to March 1	0, Catch-and-re- lease only	
cbd Mississippi river from the Red Wing dam downstream	Continuous	3	No size limit
c9d PADDLEFISH cSPOONBILL CATFISHd	No open season		
c10d ROUGH FISH	Continuous	No bag limit	No size limit
c11d MUSKELLUNGE		J	
cad St. Croix river, St. Louis river, Mississippi river	Saturday nearest Memorial Day to November 30	1	50 inches
c12d CRAYFISH c29.415-newd	May 1 to March 1	No bag limit	No size limit
c13d TROUT AND SALMON	-	- C	
cad St. Louis river - see NR 20.20 c16d cgd 1.			
14d OTHER SPECIES Inland regulations of adjoining counties as contained in ch. NR 20 apply			

c15d No person may have in possession or under control more than the daily bag limit of fish or turtles while on the ice, waters, bank or shore of the Wisconsin-Minnesota boundary waters

c16d A person may not possess or have under control more than 2 times the daily bag limit of fish, or more than the possession limit of turtles when not on the waters or ice during the open season for each species.

History: Cr. Register, February, 1979, No. 278, eff. 3-1-79; am. c7d cad and cr. c7d cbd, Register, December, 1987, No. 384, eff. 1-1-88; am. c1d cad, renum. c1d cbd to be c1d ccd, cr. c1d cbd, Register, November, 1988, No. 395, eff. 12-1-88; emerg. am. c2d, c3d and c11d, eff. 4-25-89; am. c1d ccd, c2d to c4d and c11d, renum, c13d to c15d to be c14d to c16d, cr. c13d, Register, December, 1989, No. 408, eff. 1-1-90; am. c7d and c11d cad, Register, February, 1991, No. 421, eff. 3-1-91; am. c2d cdd, c3d ccd, c7d cbd, c8d cad, c11d cad and c13d, Register, December, 1993, No. 456, eff. 1-1-94; am. c11d, Register, December, 1996, No. 492, eff. 4-1-97; r. and recr. c15d, Register, October, 1998, No. 514, eff. 10-1-98; r. c2d cbd, am. c2d ccd, Register, January, 1999, No. 517, eff. 4-1-99; am. c1d, Register, December, 1999, No. 528, eff. 4-1-02; correction in c13d was made under s. 13.93 c2md cbd 7., Stats., Register November 2001 No. 551, eff. 4-1-02; correction in c13d was made under s. 13.93 c2md cbd 7., Stats., Register November 2001 No. 588, eff. 1-1-05; CR 06-011; am. c2d cad and cdd and c3d cad Register September 2006 No. 609, eff. 4-1-07; CR 07-014; am. c11d cbd Register January 2008 No. 625, eff. 4-1-08; CR 08-012; am. c7d cad Register August 2008 No. 632, eff. 1-1-05; can c7d cad Register October 2010 No. 658, eff. 11-1-10;

CR 15-023: am. c7d cad, cbd, cr. c7d ccd, am. c8d cad, c11d cad, r. c11d cbd, renum. c13d to c13d cad and am. Register December 2015 No. 720, eff. 4-1-16; CR 19-009: am. c5d cad, cr. c5d cad 2., 3., am. c5d cbd, cr. c5d cbd 2., 3. Register February 2020 No. 770, eff. 3-1-20; CR 19-016: r. and recr. c2d ccd, c3d, c4d, cr. c4gd, c4rd, am. c5d cbd 1., c8d cbd Register March 2020 No. 771, eff. 4-1-20; CR 19-091: am. c4gd ctitled, c4rd ctitled Register March 2020 No. 771, eff. 4-1-20; CR 21-058: am. c2d ccd 2., r. c3d cbd 2., am. c4d, c4gd, cr. c4md, r. c5d cbd 1. b. Register March 2022 No. 795, eff. 4-1-22; CR 23-009: am. c2d cad, cr. c2d cbd, am. c3d cad, cr. c3d camd, am. c4d, c4gd, c4md, c5d cad cintro.d, cr. c5d camd Register February 2024 No. 818, eff. 3-1-24.

NR 21.05 Sale of fish. c1d Only rough fish legally taken during the open season by hook and line, spear, bow and arrow, or crossbow, or by hand may be sold, purchased, bartered, offered for sale, or under the control or possession of any person for the purpose of sale or barter.

c2d Rough fish taken by other than commercial gear may be bought and sold during the open season. A wholesale fish dealer[s license is required if such fish are sold to any person other than the final consumer. c23.11, 29.503, 29.539d

History: Cr. Register, February, 1979, No. 278, eff. 3-1-79; CR 19-009: r. and recr. cld Register February 2020 No. 770, eff. 3-1-20; correction in cld made under s. 35.17, Stats., Register February 2020 No. 770.

NR 21.06 Sport fishing restrictions. c1d Except as

otherwise expressly provided, only the following methods or manners of fishing shall be lawful. Any person: c29.041d

cad May fish for fish with no more than 3 hooks, baits or lures.

cbd May use landing nets and a gaff only for the purpose of landing a fish that is legally hooked. However, landing nets may be used to remove winterkilled fish in those areas and at those times designated by the department by posting, and to net fish as authorized with the use of dip nets under this chapter or ch. NR 20.

ccd May take, catch, kill or fish for fish by means of trolling from a motor-driven boat, sailboat or other boats.

cdd Except in Lake Superior, its bays and tributaries, may take rough fish by means of spear, bow and arrow, or crossbow, by hand, or by dip nets and landing nets not to exceed 24 inches in diameter or square only from sunrise to sunset from the Saturday nearest April 21 to March 1, except that the use of dip nets and landing nets not to exceed 24 inches in diameter or square for the taking of rough fish in the St. Croix river downstream to the St. Croix Falls dam is permitted from the Saturday nearest May 15 to June 30 each year, and bow and arrow or crossbow may be possessed and used for spearing rough fish from sunset to sunrise during the open season for spearing rough fish.

ced May only fish with a line or lines while they are attended.

cfd May take, catch, kill or fish for flathead or channel catfish or bullheads with a bow and arrow or crossbow during the open season for spearing rough fish, or by hand, in boundary waters within Wisconsin.

c2d Any fish taken and retained in possession that is not released freely into the water immediately after capture shall be considered part of the angler[s daily bag limit.

c3d Possession of illegal equipment. No spear, spring gaff or bow and arrow shall be possessed in a fish house cshantyd. No person shall have in possession on the water or immediate banks of the water any spear, bow and arrow or similar device except during the open season.

c4d No person may fish by snagging, foul hooking or attempting to hook fish other than in the mouth. Possessing, retaining or failing to immediately release fish hooked other than in the mouth is prohibited.

History: Cr. Register, February, 1979, No. 278, eff. 3-1-79; am. c1d cad, Register, December, 1985, No. 360, eff. 1-1-86; am. c1d cdd, Register, November, 1994, No. 467, eff. 1-1-95; am. c2d, Register, May, 1996, No. 485, eff. 6-1-96; CR 01-012:

cr. c4d, Register November 2001 No. 551, eff. 4-1-02; CR 08-010: am. c1d cbd and cdd Register November 2008 No. 635, eff. 4-1-09; CR 09-051: am. c1d cdd Register June 2010 No. 654, eff. 7-1-10; CR 13-001: am. c1d cdd Register August 2013 No. 692, eff. 9-1-13; CR 19-009: am. c1d cdd, cr. c1d cfd Register February 2020 No. 770, eff. 3-1-20; correction in c1d cdd made under s. 35.17, Stats., Register February 2020 No. 770.

NR 21.065 Fishing near dams. Notwithstanding ss. NR 21.11 and 21.15, which remain in effect, no person may fish within 200 feet of any fishway, lock or dam by any means other than hook and line.

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

NR 21.07 Ice fishing shelters. Buildings, vehicles, tents, fish shanties or similar enclosures may be used on the ice for fishing purposes on the Mississippi river, Lake St. Croix, the St. Croix river and St. Louis river as defined in s. NR 21.02 c39d from the time the ice forms; provided, however, that all such enclosures or shelters shall be removed from the ice on or before March 1 of each year. The door of any such enclosure or shelter must be equipped with a latch which will permit the door to be readily opened from the outside at all times while the enclosure or shelter is occupied. Fishing shelters that are not occupied or otherwise in use shall have the name and residential address of the person owning such shelter or enclosure painted or permanently affixed in the English language on the outside of the structure with lettering a minimum of one inch square. Residents of Wisconsin or Minnesota angling from a fish house shall comply with the law of their respective states relative to licensing and identification of fish houses. Residents of states other than Wisconsin and Minnesota who hold a nonresident fishing license from either state must comply with the law of the issuing state relative to the licensing and identification of fish houses.

History: Cr. Register, February, 1979, No. 278, eff. 3-1-79; CR 10-053: am. Register December 2010 No. 660, eff. 1-1-11; CR 13-001: am. Register August 2013 No. 692, eff. 9-1-13.

Subchapter II — Minnows

NR 21.08 Minnow nets and traps. Except as provided in ss. NR 20.20 and 21.06 cld cdd, no person may take fish other than smelt with nets or traps in the St. Louis river. No person may take minnows or shiners from the St. Louis river. Only those minnow seines, minnow dip nets, cast nets, minnow traps or cray-fish scoops described as follows and operated in the manner specified may be used for the taking of minnows:

Note: For the reference to s. NR 20.20, see c73d cLd 5. of that table.

Type of Gear	Period Gear May be Used	Specifications	Restrictions
cad Seine	All year	Seines shall not exceed 50 feet in length and 8 feet in width flat measure and shall not contain mesh which exceeds one-half inch stretch measure.	
cbd Dip Net	All year	Dip nets shall consist of a square or round frame not to exceed 8 feet in diameter or square with netting sus- pended from it which when lifted makes a bag not to exceed 4 feet deep.	Dip nets may only be used by the method of raising or lowering them in a vertical direction.
ccd Traps	All year	Traps shall not exceed 24 inches in length and 16 inches in diameter with an opening in the throat of the trap no larger than one and one-half inches in diameter.	Traps must have securely attached to them a label or tag bearing the name and address of the owner in the English language.
			Traps must be raised and the minnows removed at least once a day between one hour before sunrise and one hour after sunset.
cdd Cast Net	All year	Cast nets shall not exceed 7 feet in diameter or mesh of more than one-half inch stretch measure.	
ced Crayfish Scoop	All year	A metal frame covered with hardware cloth not to exceed 4 feet in length, 2 feet in width and 18 inches in depth. A handle of any length may be attached.	May be used to harvest crayfish, minnows and dragon fly larva.

History: Cr. Register, February, 1979, No. 278, eff. 3-1-79; emerg. am. cintro.d, eff. 4-25-89; am. cintro.d, Register, December, 1989, No. 408, eff. 1-1-90; am. cintro.d, Register, December, 1993, No. 456, eff. 1-1-94; CR 04-024: am. cintro.d Register December 2004 No. 588, eff. 1-1-04; correction in cintro.d made under s. 13.93 c2md cbd 7., Stats., Register December 2004 No. 588.

NR 21.09 Carp as bait. Live carp taken and possessed for the purpose of bait shall only be transported live by boat or other floating conveyance while in possession on Wisconsin-Minnesota boundary waters.

History: Cr. Register, February, 1979, No. 278, eff. 3-1-79; CR 10-053: am. Register December 2010 No. 660, eff. 1-1-11.

Subchapter III — Commercial Fishing

NR 21.10 Boundary water, commercial fishing restriction. For the purpose of fishing under a commercial fishing license or the taking of turtles, in the Wisconsin-Minnesota boundary waters, licensed commercial fishers and agents of the licensees are restricted to the state boundaries of the state they are licensed under. No person may operate any commercial fishing gear or turtle traps beyond the state line boundaries of the state in which the license was issued.

History: Cr. Register, February, 1979, No. 278, eff. 3-1-79; r. and recr., Register, October, 1998, No. 514, eff. 10-1-98; CR 10-053; am. Register December 2010 No. 660, eff. 1-1-11.

NR 21.11 Commercial fishing restrictions. c1d GENERAL RESTRICTIONS. No person may conduct commercial fishing operations unless he or she has first obtained the appropriate license or licenses required under ss. 29.523 and 29.533, Stats. A commercial fisher shall carry each license with him or her at all times while engaged in any part of commercial fishing and shall exhibit the license to the department or its wardens on demand. Each commercial fishing licensee must be a resident of the Wisconsin. Commercial fish helpers and crew members are not required to hold a license but a commercial fisher using helpers or crew members who do not hold a Wisconsin commercial fishing license shall submit to the department a list of all unlicensed helpers[or crew members[names and addresses along with the fisher[s application for a license or before the helper or crew member begins to assist the licensee. Commercial fishers whose commercial fishing approvals or privileges have been suspended or revoked may not act as a helper or crew member for another licensee during the period of suspension or revocation.

Note: Names and addresses of fish helpers and crew members may be submitted with the fisher[s application for a license to the Department of Natural Resources, Mississippi River License application — CS{1, P.O. Box 7924, Madison, WI 53707-7924 or may be submitted along with a licensee[s monthly catch report.

cad All game fish that are not commercial fish and all fish that are listed in ch. NR 27 as endangered or threatened species that are taken with any net or setline shall be immediately returned to the water with as little injury as possible as soon as they appear in the operation. Seines may not be bagged in a manner that causes either game fish that are not commercial fish or fish that are listed in ch. NR 27 as endangered or threatened species to die while bagged in the net. The presence of dead game fish that are not commercial fish or dead fish that are listed in ch. NR 27 as endangered or threatened species in a seine bag shall be prima facie evidence of a violation of this paragraph.

cbd Each person required to hold a commercial fishing license shall be present at all times when any of his or her nets or setlines are set, placed, tended or operated. The licensee does not need to be present when fish are removed from a bagged seine or crib while the licensee transports commercial fish on the water or ice or is tending to the loading of commercial fish at a boat landing.

ccd Measurement of mesh size is by stretch measure. Such measurements apply to net meshes when in use and no allowance will be made for the shrinkage due to any cause. c29.041, 29.516, 29.522d

ccfd No person may mark or tag a net or setline with his or her license number or metal tag if the net or setline is already marked or tagged by another licensed commercial fisher, except that up to two commercial fishers may each place one of their net tags on the same net and may lift or operate this net when it is agreed to by both commercial fishers. Only one net flag with one number may be displayed on a net at any time and only the commercial

fisher whose flag is attached to the net may set, place, tend, operate or lift the net.

ccmd No person may set, place, tend or operate any net or setline that is marked or tagged with the license number or metal tag of another person, except for crew members acting under the direction of the licensee while the licensee is present.

cdd There are no bag limits for any commercial species other than are expressly provided in this chapter. c29.041d

ced Improperly placed or tagged commercial fishing gear is a public nuisance and will be seized and held by the department subject to order of the court.

cgd No licensed commercial fisher or any member of his or her crew or any person with the commercial fisher or crew may possess any game fish that are not commercial fish while operating commercial gear on the ice or in the open waters of the state or when traveling to or from the operation of the gear.

chd No person may possess or control commercial fishing gear not authorized for use in the Wisconsin-Minnesota boundary waters by this chapter while on the ice or the open waters of the state or while engaged in a fishing operation involving those waters.

cid All fishers required to be licensed under the provisions of ss. 29.523 and 29.533, Stats., shall complete and submit monthly reports on forms available from the department. All reports shall be submitted to the department by the 10th of the month following each month the commercial fisher is required to be licensed. Each monthly report shall be signed by the commercial fisher. Each commercial fisher shall report all fish sold or kept whether these fish were legally or illegally taken or obtained, the buyers name, address and phone number, and all other information requested on the report form.

ckd Commercial fish taken by commercial gear pursuant to this chapter may be sold only by the licensed commercial fisher whose gear was used to take the fish. A commercial fisher may not sell fish taken under the authority of another fisher[s license, unless he or she sells the other fisher[s fish under the authority of a wholesale fish dealers license.

cLd No person may remove roe from a commercial fish while on the water, ice, bank or shore. Commercial fish shall remain intact until the fish reaches the final processing facility or place of business of the commercial fisher.

cpd The department or its agents may require any operator of any commercial fishing gear to cease the fishing operations when the department finds these operations are destructive to game fish or they will endanger any other species of wild animal. c29.041d

cqd The department by its agents, employees or wardens may in the absence of the licensee, at any time, raise any commercial fishing gear with as little damage as may be for inspection. c23.11, 29.516d

crd The use or operation of all commercial gear except those authorized in this chapter is prohibited in the Wisconsin-Minnesota boundary waters with the exception of such nets as may be authorized by the department. The specifications for the nets operated under contract with the department must be agreed upon between the states of Wisconsin and Minnesota.

c2d GILL NETS; SEASONS, CLOSED AREAS, GILL NET RESTRICTIONS. In the Wisconsin-Minnesota boundary waters, no person may conduct commercial fishing operations with the use of gill nets, drive netting, deadset gill nets or drive set gill nets except in the manner prescribed as follows:

cad Gill nets may be used year round on the Mississippi river, except for the areas listed in pars. cbd and ccd. No person may engage in drive netting of fish from the closed areas listed in par. cbd.

cbd No person may set or use gill nets in the following areas:

1. Within 900 feet below any U.S. corps of engineers lock or dam on the Mississippi river.

- 2. Goose lake lying in Pierce county.
- 3. All of upper pool 8.
- Trempealeau lakes known as Second, Third and Round lakes lying in Trempealeau county.
- 5. In the Mississippi river within 300 feet of the mouth of any stream tributary to the Mississippi river.
- 6. In lower pool 8, Bluff Slough from 7th Street downstream to where Bluff Slough enters Running Slough.
- ccd No person may set or use the types of gill nets listed in this paragraph in the following areas, during the periods indicated:
- 1. Open water gill net sets are prohibited in Lake St. Croix from the highway 64 bridge at Houlton, downstream to its confluence with the Mississippi river at all times.
- 2. Dead set gill nets and drive set gill nets may not be used in pool 4, between river mile 780 and 797 from March 1 through May 31.
- 3. Dead set gill nets may not be used in all of lower pool 7 at any time.
- cdd *Additional gill net restrictions*. 1. Only gill nets with a mesh of 7 inches stretch measure or larger may be used.
- 2. Gill nets may not be used as a drift net and may not be used as or in place of a seine.
- 3. At each end of every gill net set in open water there shall be a buoy on each end of the gang. The buoys shall have a staff extending at least 3 feet above the surface of the water. Upon the upper end of the staff there shall be a flag at least 10 inches square. Upon the bowl of the buoys there shall be maintained in plain figures the license number of the licensee. On gill nets set through the ice there shall be maintained on each end of the gang a board or similar material which shall bear the license number authorizing the use of the net.
- 4. Each gill net set in open water shall be lifted and emptied of all fish at least once each day following the day set. Each gill net set under the ice shall be lifted and emptied of fish at least once every 2 days following the day set.
- 5. Gill nets may not be set, drawn, lifted or operated in any manner between one-half hour after sunset and one hour before sunrise without prior permission of the department.

Note: Contact a local department conservation warden or fish manager to request prior permission.

- Gill nets may not be set in a manner that will shut-off more than one-half the width of any channel, bay or slough.
- 7. A gill net may not be set within 1,000 feet of any other commercial fisher[s gill net or frame net.
- 8. Shovelnose chacklebackd sturgeon may not be taken in gill nets.
- 9. Game fish that are not commercial fish and other fish that are listed in ch. NR 27 as endangered or threatened species which are taken by gill nets shall be immediately returned, carefully and with as little injury as possible to the water from which they were
- 10. No licensee may join his or her net to that of any other licensee
- **c3d** SEINES; SEASONS, CLOSED AREAS, SEINE RESTRICTIONS. In the Wisconsin-Minnesota boundary waters, no person may conduct commercial fishing operations with the use of seines except in the manner prescribed as follows:
- cad Seines of any size may be used year round in the waters of the Mississippi river, Lake St. Croix and the St. Croix river downstream from the U.S. highway 8 bridge located in St. Croix Falls, except for the closed areas listed in pars. cbd and ccd. No person may use drive netting techniques including the use of airboats,

boats, plungers or other sound producing devices to drive fish from the closed ares listed in pars. cbd and ccd.

cbd *Permanently closed areas.* 1. Within 900 feet below any U.S. corps of engineers lock and dam on the Mississippi river.

- 2. Goose lake lying in Pierce county.
- Trempealeau lakes known as Second, Third and Round lakes lying in Trempealeau county.
- Lagoon, which is located on Barron island within the corporate limits of the city of LaCrosse, as well as the connecting waterway south to state highway 16.
- ccd Seasonally closed areas. 1. Pool 4, between river mile 780 and 797, closed from March 1 through May 31.
- In upper pool 8, the Black river from the Onalaska 9-foot spillway dam downstream to the Soo Line railroad bridge, closed from April 15 through October 30.
- 3. In lower pool 8, Bluff Slough from 7th Street downstream to where Bluff Slough enters Running Slough, closed from April 15 through October 30.
- cdd A commercial fisher and his or her crew members may not remove more than 100 pounds of catfish per seine haul from the Saturday nearest October 1 to April 30.
- ced A commercial fisher and his or her crew members may not take more than 100 pounds of catfish per day in seines regardless of the number of seine hauls done in one day, from the Saturday nearest October 1 through April 30.
- cfd A commercial fisher and his or her crew members may only take 100 pounds of catfish from a seine haul even if the seine haul takes more than one day to complete.
- cgd Shovelnose chacklebackd sturgeon may not be taken in seines.
- chd Seines may not be drawn, lifted or operated in any manner between one-half hour after sunset and one-half hour before sunrise without permission of the department.

Note: Contact a local department conservation warden or fish manager to request prior permission.

- cid A seine may not be used as a drift net at any time.
- cjd All game fish that are not commercial fish and all fish that are listed in ch. NR 27 as endangered or threatened species that are taken in seines shall be immediately returned to the water with as little injury as possible as soon as they appear in the operation. Seines may not be bagged in a manner that causes either game fish that are not commercial fish or fish that are listed in ch. NR 27 as endangered or threatened species to die while bagged in the net. The presence of dead game fish that are not commercial fish or dead fish that are listed in ch. NR 27 as endangered or threatened species in a seine bag shall be prima facie evidence of a violation of this paragraph. Rough fish that are not listed in ch. NR 27 as endangered or threatened species and commercial fish that are bagged as part of a seine haul may not be held in any bag, seine or other type of live box for more than 24 hours without prior permission from the department.

Note: Contact a local department conservation warden or fish manager to request prior permission.

- ckd Seines may not be set or operated in a manner that will shut-off more than one-half the width of any channel, bay or slough.
- cLd No seine may be set or operated within 1,000 feet of any other commercial fisher[s gill net, frame net or seine.

cmd No licensee or crew member may join a net to that of any other licensee.

- **c4d** SETLINES; SEASONS, CLOSED AREAS, SETLINE RESTRICTIONS. In the Wisconsin-Minnesota boundary waters, no person may conduct commercial fishing operations with the use of setlines except in the manner prescribed as follows:
- cad Setlines may be used in the waters of the Mississippi river from the Saturday nearest April 1 to October 31, except for the closed areas listed in pars. cbd and ccd.

cbd *Permanently closed areas.* 1. Within 900 feet below any U.S. corps of engineers lock or dam on the Mississippi river.

- 2. Goose lake lying in Pierce county.
- Trempealeau lakes known as Second, Third and Round Lakes lying in Trempealeau county.
- 4. Lagoon, which is located on Barron island within the corporate city limits of LaCrosse, as well as the connecting waterway south to state highway 16.
- 5. In upper pool 8, the Black river from the Onalaska 9-foot spillway dam downstream to the Soo Line railroad bridge.
- ccd Seasonally closed areas. 1. Pool 4, between river mile 780 and 797, closed from March 1 through May 31.
- 2. In lower pool 8, Bluff Slough from 7th Street downstream to where Bluff Slough enters Running Slough, closed from April 15 through October 30.
- cdd Each licensee is limited to 8 setlines with not to exceed a total of 50 hooks on each line or 4 setlines with not to exceed 100 hooks on each line.
- ced No person may use frogs or game fish, whether dead or alive, or any part of a frog or game fish as bait on a setline in the Mississippi river.
- cfd There shall be a buoy at each end of every setline. The buoys shall have a staff extending at least 3 feet above the surface of the water. Upon the upper end of each staff there shall be a flag at least 10 inches square. Upon the bowl of each buoy there shall be maintained in plain figures the license number of the licensee.
- cgd Setlines shall be marked by a metal tag which is stamped to designate the number of the license issued to the commercial fisher using the setline. The tag shall be attached to the buoy or staff at one end of the setline so that the tag will be visible above the surface of the water.
- chd Setlines set in open water shall be lifted and all fish removed at least once each day following the day set.
- cid Setlines may not be set, lifted, hauled or operated in any manner between one-half hour after sunset and one hour before sunrise without prior permission of the department.

Note: Contact a local department conservation warden or fish manager to request prior permission.

- cjd Setlines may not be set in a manner which blocks off more than 3 {4 the width of any slough, bay or channel to any type of boat traffic.
- ckd Shovelnose chacklebackd sturgeon 25 inches and over in length may be taken.
- cLd Game fish and other fish that are listed in ch. NR 27 as endangered or threatened species which are taken by setline shall be immediately returned, carefully and with as little injury as possible to the water from which they were taken.
- **c4md** HARVEST OF CATFISH AND BULLHEADS. No person may harvest catfish or bullheads by hand or with a bow and arrow or crossbow under the authority of a commercial fishing license or for commercial purposes.
- **c5d** BUFFALO AND FRAME NETS. No person may use buffalo or frame nets.
- **c6d** SLAT AND TRAMMEL NETS. No person may use slat or trammel nets.
- **c7d** INCIDENTAL TURTLE CATCH. Turtles taken incidental to licensed commercial fishing operations may be possessed and sold.

History: Cr. Register, February, 1979, No. 278, eff. 3-1-79; am. c1d cnd, Register, December, 1981, No. 312, eff. 1-1-82; am. c1d cnd and cod, Register, December, 1989, No. 408, eff. 1-1-90; r. and recr. c1d cnd and cod, Register, October, 1991,

No. 430, eff. 11-1-91, r. c1d cjd, Register, May, 1996, No. 485, eff. 6-1-96; r. and recr. c1d cintro.d, cbd and cfd, am. c1d cad, cgd, chd, cid and ckd, cr. c1d ccfd, ccmd, ced and c2d to c7d, r. c1d cmd, cnd and cod, Register, October, 1998, No. 514, eff. 11-1-98; CR 01-012: am. c2d cad, Register November 2001 No. 551, eff. 4-1-02; CR 10-053: am. c1d cintro.d, cbd, ccfd, cid, c2d cdd 7., c3d cLd, r. and recr. c1d cLd Register December 2010 No. 660, eff. 1-1-11; CR 19-009: cr. c4md Register February 2020 No. 770, eff. 3-1-20.

Subchapter IV — Turtles

NR 21.13 Turtles. c1d APPLICABILITY. This section applies to the taking and possession of turtles in the Wisconsin-Minnesota boundary waters.

c2d SEASONS; POSSESSION AND DAILY BAG LIMITS. No person may take turtles on the Wisconsin-Minnesota boundary waters except during the open season established in sub. c4d. For the purpose of Wisconsin-Minnesota boundary water turtle harvest, the possession limits are the same as the daily bag limits.

c3d ADDITIONAL RESTRICTIONS. No person may do any of the following:

cad Take, possess or control a turtle unless the person is in possession of a valid approval which authorizes the hunting of small game or which authorizes fishing, unless otherwise exempt under ch. 29, Stats., from the need to possess one of more of these approvals to hunt or fish.

cbd Take turtles by methods other than hoop net turtle traps complying with par. ccd, hand, hook and line, hooking or incidental to commercial fishing authorized under this chapter by a fisher possessing a valid license issued under s. 29.523, 29.526, 29.529, Stats.

ccd Use a hoop net turtle trap to trap turtles, except when taken by a licensed commercial fisher under s. 29.523, Stats., incidental to fishing authorized under those licenses, unless it complies with all of the following criteria:

- It is constructed with no less than 6 inch stretch measure mesh net as defined in s. NR 25.02 c28d.
- 2. The net is nylon or other stretchable fabric. Wire may not be used.
- 3. It is constructed with a funnel entrance at one or both ends which are tied off to the sides or the opposite ends. The opening in the funnel may be round or oval.
- It is designed and set so the closed sides sit horizontal in the water.

Note: There is no restriction on the size of the trap itself or the number of hoops used in its construction.

cdd Use a hoop net turtle trap unless it is placed on the bed of the stream, river, lake or pond so that a minimum of 2 inches of the trap is above the water[s surface.

ced Use a hoop net turtle trap unless it is checked and the entrapped contents removed at least once each day.

- cfd Place, use or tend more than 10 hoop net turtle traps.
- cgd Use a hoop net turtle trap unless a stamped or engraved metal tag, bearing the name and address of the operator of the trap in the English language, is attached in a manner that is visible above water and legible at all times.

chd Place, use or tend a hoop net turtle trap or remove its entrapped contents unless that person is the operator identified on the trap tag.

- cid Place, set or use a hoop net turtle trap within 200 feet of any fishway, lock or dam.
- cjd Place, set or use any hook and line, setline or bank pole for taking turtles in a manner or at any time during which these methods are not allowed for taking fish under ss. NR 20.06 and NR 20.12.

c4d SEASONS AND LIMITS:

Turtle species	Open seasons cboth dates inclusived	Daily bag and possession limit	Size limit
cad Snapping turtle	July 15 to Nov. 30	10	12 inch minimum 16 inch maximum top shell measured from front to back
cbd Softshell turtle	July 15 to Nov. 30	5	None
cbmd Blanding[s turtle	None	0	None
ccd All other turtles not listed as threatened or endangered in ch. NR 27	July 15 to Nov. 30	5 in total	None
cdd Turtles inciden- tally taken in li- censed com- mercial fishing operations	Continuous	None	None

History: Cr. Register, February, 1979, No. 278, eff. 3-1-79; r. and recr. Register, February, 1997, No. 494, eff. 3-1-97; CR 09-051: cr. c3d cid and cjd Register June 2010 No. 654, eff. 7-1-10; CR 10-053: am. c3d cad Register December 2010 No. 660, eff. 1-1-11; CR 14-025: cr. c4d cbmd Register May 2015 No. 713, eff. 6-1-15.

Subchapter V — General Provisions

NR 21.14 Transportation of fish and turtles. c1d Any properly licensed resident or nonresident holder of an angling or commercial fishing license from the state of Minnesota having lawfully taken fish or turtles in the boundary waters described in this chapter during the open season therefor, may land

on the Wisconsin side of the said boundary waters and shall transport such fish with him to the state of Minnesota by the most convenient, practicable route. c23.11, 29.041, 29.045d

History: Cr. Register, February, 1979, No. 278, eff. 3-1-79.

NR 21.15 Fish refuges. c1d No person may take, catch, disturb, kill or fish for fish of any variety in any manner from March 15 through April 25 both dates inclusive, in, on or along the following described water areas: c23.09d

cad *La Crosse county*. cNo. 32d That part of the Mississippi river beginning at the Onalaska dam, in the city of Onalaska, and extending downstream for a distance of 300 feet.

c2d No person may taken, catch, disturb, kill or fish for fish of any variety from March 1 to April 30 within 300 feet below the following structures unless posted open with department signs:

cad Buffalo county. cNo. 6d Dam 4 at Alma.

cbd Pierce county. cNo. 48d Dam 3 at Red Wing.

History: Cr. Register, February, 1979, No. 278, eff. 3-1-79; emerg. cr. c3d cad, eff. 4-5-80.

NR 21.16 Taking of fish by and for the department. Nothing in this chapter prohibits the department by contract or otherwise from corruing out its management of these boundary.

otherwise from carrying out its management of these boundary waters as required by the law or department policy. c23.09, 29.401, 29.421, 29.424, 29.417d

History: Cr. Register, February, 1979, No. 278, eff. 3-1-79.

NR 21.17 Conflicting rules. Where there are differences in elements of the boundary waters regulations of Minnesota and Wisconsin, anglers, commercial fishers and persons taking turtles shall comply with the regulations of the state in whose territorial waters they are fishing in or taking turtles.

History: Cr. Register, February, 1979, No. 278, eff. 3-1-79; CR 10-053: am. Register December 2010 No. 660, eff. 1-1-11.