

Clearinghouse Rule 10-025

Report to
Legislative Council Rules Clearinghouse
NR 20, 21, 23 and 26, Wis. Adm. Code
Natural Resources Board Order FM-03-10

Wisconsin Statutory Authority

ss. Sections 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 annually prepares a package of administrative rule that updates regulations relating to fishing in Wisconsin inland, outlying, and boundary waters. 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. Permit motor trolling county-wide in Ashland, Iron, Price and Sawyer counties;
2. Allow fishing from the first Saturday in May to the first Sunday in March for all gamefish species except muskellunge and walleye and change the panfish daily bag limit to 10 fish daily bag limit for all panfish all season while creating a year-round open season for panfish on the Chippewa Flowage. Currently, fishing for any gamefish is prohibited between November 30 and the first Saturday in May, and panfish bag limits are 25 with no more than 15 crappie from the first Saturday in May until November 30 and 15 but no crappie from December 1 to the first Sunday in March;
3. Create a catch-and-release season for Lake Sturgeon on the St. Croix River from October 1 to 15. This section of the St. Croix River is Wisconsin-Minnesota boundary water, and this change would make Wisconsin rules consistent with Minnesota rules;
4. Extend the open fishing season for largemouth and smallmouth bass on Wisconsin-Michigan boundary waters from November 30 to December 31. This would make Wisconsin and Michigan boundary rules for bass harvest consistent;

Increase the minimum length restriction for walleye to 18 inches and reduce the daily bag limit from 5 to 3 and eliminate the minimum length restriction for largemouth and smallmouth bass (bag limits will remain at 5 fish/ day) in Bear, Horseshoe (T36N, R14E, S3, 115 ac.), Lower Turtle, and Upper Turtle Lakes (Barron County), Lake Owen (Bayfield County), Big McKenzie and Middle McKenzie Lakes (Burnett/ Washburn Counties), Big Butternut, Half Moon, Pipe, and Ward Lakes (Polk County), Chain, Clear, Island, and McCann Lakes (Island Chain, Rusk County), Chippewa Flowage, Nelson, Sissabagama, and Whitefish Lakes (Sawyer County), and Long and Nancy Lakes (Washburn County);

5. Increase the minimum size restriction for walleye in Lake Metonga (Forest County) from 15 to 18 inches and decrease the bag limit from 5 to 3;

6. Increase the minimum size restriction for bass in Marion Pond (Waupaca County) from 14 inches to 18 inches and reduce the daily angler bag limit from 5 to 1 and increase the minimum size restriction for northern pike in Marion Pond from no minimum to 26 inches and reduce the daily angler bag limit from 5 to 2. This rule would expire on April 1, 2016;
7. Eliminate the following fish refuges: on the Chippewa Flowage for 500 feet below Moose Lake (Sawyer County), on Spider Creek between Spider Lake and State highway 77 (Sawyer County), on Island Creek between Island and Black Dan Lakes (Sawyer County), on Malviney Creek (Sawyer County), on the unnamed tributary of Lake Chetac from Lake Chetac to 1000 feet upstream (Sawyer County), on the Brunet River from Lake Winter to 500 feet downstream (Sawyer County), on the Couderay River from the Grimh (Radisson) Dam to 500 feet downstream (Sawyer County) and on the Little Turtle River and Turtle-Flambeau Flowage 200 feet upstream of Popko's Circle Road until 200 feet downstream of Popko's Circle Road (Iron Co.);
8. Prohibit night fishing from September 15 to the first Saturday in May in the section of the Oconto River from the upstream side of the US 141 Bridge to the Stiles dam (Oconto Co.);
9. Replace the current no minimum length limit and 14 to 18 inch protected slot with no minimum length limit but only 1 fish over 14" and increase the daily bag limit from 3 to 5 for walleye on the Three Lakes Chain, Oneida County;
10. Replace the no minimum length limit but only 1 fish over 14" with a 15" minimum length limit for walleye on Sevenmile lake, Oneida County;
11. Make permanent the 45 inch minimum size restriction for muskellunge in Little St. Germain Lake (Vilas County). This regulation was scheduled to expire November 30, 2011;
12. Increase the minimum size restriction for northern pike on Big Muskego Lake including Bass Bay (Waukesha County) from 26 inches to 40 inches and reduce the daily bag limit from 2 to 1 fish;
13. Decrease the minimum length restriction on trout in the Waupaca River downstream of River Road to the Waupaca County line (Waupaca County) to 7 inches for all trout from 12 inches for brown trout and rainbow trout, and 8 inches for brook trout. It also increases the daily angler bag from 3 to 5 for trout;
14. and standardize trout regulations for all of the Wolf River (Langlade County), allowing hook and line fishing only with artificial lures from the First Saturday in May at 5:00 am until September 30 with a bag limit of 3 and a maximum size of 12 inches. The catch-and-release season from October 1 to November 15 will be retained.

Agency Procedures for Promulgation

Public hearings, followed by Natural Resources Board adoption, followed by legislative review.

Description of any Forms (attach copies if available)

None

Name and Telephone Number of Agency Contacts

Joseph Hennessy, Treaty Fisheries Coordinator – (608) 267-9427
 Tim Andryk, Bureau of Legal Services – (608) 264-9228

Submitted on February 12, 2010