

State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny  
Secretary

BOX 7921  
MADISON, WISCONSIN 53707

CR 89-42

RECEIVED

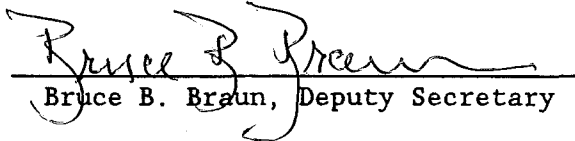
STATE OF WISCONSIN )  
DEPARTMENT OF NATURAL RESOURCES )

AUG 22 1989  
9:50 am  
Revisor of Statutes  
Bureau

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Bruce B. Braun, Deputy 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. FM-50-89 was duly approved and adopted by this Department on June 29, 1989. 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 21<sup>st</sup> day of August, 1989.

  
Bruce B. Braun, Deputy Secretary

(SEAL)

12-1-89

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

.....  
IN THE MATTER of renumbering s. NR 20.03(1) .  
(c)4., (d)6. and (e)4. and 5.; renumbering and .  
amending ss. NR 20.10(1) and 26.27(1); amending .  
ss. 21.04(2), (3), (4) and (11), 21.08, (intro.) .  
and 23.08; and creating ss. 20.02(1)(g) and (h), .  
20.03(1)(c)4., (d)6., (e)4., (t) and (u), . FM-50-88  
20.10(1)(b) and 23.05(5)(i), Wisconsin .  
Administrative Code, pertaining to bait dealers .  
and sport fishing in outlying waters, Wisconsin- .  
Minnesota boundary waters, Wisconsin-Michigan .  
boundary waters and inland waters .  
.....

Analysis Prepared by Department of Natural Resources

Statutory authority: ss. 29.137(5), 29.174(3) and 227.11(2), Stats.  
Statutes interpreted: ss. 29.085 and 29.174(2)(a), Stats.

The rules:

1. Prohibit the harvest by nets or traps of any fish except smelt and shiners in Lake Superior and its tributaries upstream to the first dam or natural fish barrier.

2. Further restrict angling on the St. Louis River by delaying the opening of the angling season for walleyes and northern pike from the Saturday nearest May 1 to the Saturday nearest May 15, and for muskellunge from the Saturday nearest May 1 to the Saturday nearest Memorial Day. The rules also establish a 15-inch minimum length limit on walleyes and increase the minimum length limit for muskellunge from 30 to 36 inches and reduce the daily bag limit on walleyes from 6 to 2 and on northern pike from 5 to 2.

3. Further restrict sport angling on the Nemadji river, Allouez bay, Little Pokegama bay, Pokegama bay, and Kimballs bay, Douglas county, by delaying the opening of the angling season for walleyes and northern pike from the first Saturday in May to the Saturday nearest May 15, establishing a 15-inch minimum length limit on walleyes, increasing the minimum length limit for muskellunge from 32 to 36 inches, and reducing the daily bag limit on walleyes and northern pike from 5 to 2, and

4. Extend the refuge period on the St. Louis river, Douglas county, from the period of March 1 to May 15, to the period of March 1 to May 18.

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SECTION 1. NR 20.02(1)(g) and (h) are created to read:

Species	Area	Open season	Daily bag limit	Minimum length (in.)
(g) RUFFE	Green Bay Lake Michigan Lake Superior	No open season	-----	-----
(h) WHITE PERCH	Lake Superior	No open season	-----	-----

SECTION 2. NR 20.03(1)(c)4., (d)6. and (e)4. and 5. are renumbered to be NR 20.03(1)(c)5., (d)7. and (e)5. and 6., respectively.

SECTION 3. NR 20.03(1)(c)4., (d)6., (e)4., (t) and (u) are created to read:

Kind of fish and locality	Open season (both) dates inclusive)	Daily bag limit	Minimum length (inches)
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(c) WALLEYE AND SAUGER

4. The Nemadji river, Allouez bay, Little Pokegama bay, Pokegama bay, and Kimballs bay, Douglas county	Saturday nearest May 15 to March 1	2 in aggre- gate	15
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(d) NORTHERN PIKE (See also

NR 20.04)

6. The Nemadji river, Allouez bay, Little Pokegama bay, Pokegama bay, and Kimballs bay, Douglas county	Saturday nearest May 15 to March 1	2	No size limit
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Kind of fish and locality	Open season (both dates inclusive)	Daily bag limit	Minimum length (inches)
(e) MUSKELLUNGE (includes hybrid muskellunge)			
4. The Nemadji river, Allouez bay, Little Pokegama bay, Pokegama bay, and Kimballs bay, Douglas county	Saturday nearest Memorial Day to March 1	1	36
(t) RUFFE	No open season	-----	-----
(u) WHITE PERCH	No open season	-----	-----

SECTION 4. NR 20.10(1) is renumbered NR 20.10(1)(a) and amended to read:

NR 20.10(1)(a) No ~~persons~~ shall person may set, use, or operate any minnow seine, minnow dip net or minnow traps in any of the inland waters of this state for taking, catching, or killing fish of any variety, other than as specified in this section.

SECTION 5. NR 20.10(1)(b) is created to read:

NR 20.10(1)(b) Except as provided in ss. NR 20.09(2)(g) and (3) and 21.06(1)(d), no person may take fish other than smelt and shiners with nets or traps from Lake Superior, its bays or tributaries. This paragraph does not apply to the following waters:

1. Ashland county
  - a. Bad River - upstream from Copper Falls
  - b. Marengo river - upstream from state hwy. 13
  - c. Potato river - upstream from Guerney Falls
  - d. White river - upstream from White river dam
  
2. Bayfield county
  - a. Iron river - upstream from Orienta dam
  - b. Little Sioux river - upstream from the falls in NE1/4 of the NE1/4, section 13, township 49 north, range 5 west.
  - c. Siskiwit river - upstream from the falls in SW1/4 of the NW1/4, section 35, township 51 north, range 6 west.
  
3. Douglas county
  - a. Amnicon river - upstream from Amnicon Falls
  - b. Black river - upstream from Big Manitou Falls
  - c. Middle river - upstream from U.S. hwy. 2
  - d. Poplar river - upstream from U.S. hwy. 2
  
4. Iron county
  - a. Montreal river - upstream from Superior Falls dam

SECTION 6. NR 21.04(2), (3), (4) and (11) are amended to read:

Kind of fish and locality	Open season (both dates inclusive)	Daily bag limit	Minimum length (inches)
(2) WALLEYE AND SAUGER			
(a) <del>St.-Louis-river-and</del>			
St. Croix river downstream to Prescott	Saturday nearest May 1 to March 1	6 in aggregate	No size limit
(b) Mississippi river from Prescott downstream	Continuous	6 in aggregate	No size limit
(c) <u>St. Louis river</u>	<u>Saturday nearest May 15 to March 1</u>	<u>2 in aggregate</u>	<u>15</u>
(3) NORTHERN PIKE			
(a) <del>St.-Louis-river-and</del>			
St. Croix river downstream to Prescott	Saturday nearest May 1 to March 1	5	No size limit
(b) Mississippi river from Prescott downstream	Continuous	5	No size limit
(c) <u>St. Louis river</u>	<u>Saturday nearest May 15 to March 1</u>	<u>2</u>	<u>No size limit</u>

Kind of fish and locality	Open season (both dates inclusive)	Daily bag limit	Minimum length (inches)
(4) WHITE OR YELLOW BASS, CRAPPIES, ROCK BASS, SUN-FISH OR BLUE-GILLS AND <u>YELLOW PERCH</u>	Continuous	25 of each	No size limit.
(11) MUSKELLUNGE			
(a) <del>St.-Louis-river,</del>			
St. Croix river and Mississippi river from Prescott downstream	Saturday nearest May 1 to March 1	1	30 inches
(b) <u>St. Louis river</u>	<u>Saturday nearest Memorial Day to March 1</u>	<u>1</u>	<u>36 inches</u>

SECTION 7. NR 21.08(intro.) is amended to read:

NR 21.08(intro.) Except as provided in ss. NR 20.09(2)(g) and (3) and 21.06(1)(d), no person may take fish other than smelt and shiners with nets or traps in the St. Louis river. Only those minnow seines, minnow dip nets, cast nets, minnow traps or crayfish scoops described below and operated in the manner specified may be used for the taking of minnows: (23.11, 29.137, 29.085)

SECTION 8. NR 23.05(5)(i) is created to read:

Kind of fish and locality	Open season (both dates inclusive)	Possession and daily bag limit	Minimum length (in.)
(i) RUFFE in all boundary waters	No open season	-----	-----

SECTION 9. NR 23.08 is amended to read:

NR 23.08 MINNOWS. No person may sell, trade or barter minnows taken from Wisconsin-Michigan boundary waters. Except as provided in ss. NR 20.09(2)(g) and (3), and 21.06(1)(d) and 23.07, no person may take fish other than smelt and shiners with nets or traps in the Montreal river downstream from the Superior Falls dam.

SECTION 10. NR 26.27(1) is renumbered NR 26.27 (intro.) and amended to read:

NR 26.27(intro.) The following described areas are hereby created and established as fish refuges and ~~it shall be unlawful for any~~ no person or persons to may take, disturb, catch, capture, kill or fish for fish in any manner from March 1 to May ~~15~~ 18 each year, both dates inclusive, in, on or along the following described water areas:



The foregoing rule was approved and adopted by the State of Wisconsin Natural Resources Board on June 29, 1989

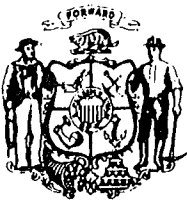
The rules shall take effect on the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22(2)(intro.), Stats.

Dated at Madison, Wisconsin August 21, 1989

STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES

By Carroll D. Besadny  
Carroll D. Besadny, Secretary

(SEAL)



State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny  
Secretary

BOX 7921  
MADISON, WISCONSIN 53707

August 21, 1989

In reply refer to: 1020

Mr. Orlan L. Prestegard  
Revisor of Statutes  
Suite 702  
30 W. Mifflin Street

**RECEIVED**

AUG 22 1989

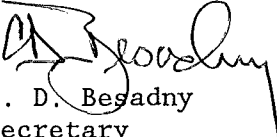
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Dear Mr. Prestegard:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. FM-50-89. These rules were reviewed by the Assembly Committee on Natural Resources and the Senate Committee on Transportation, Conservation and Mining pursuant to s. 227.19, Stats. A summary of the final regulatory flexibility analysis and comments of the legislative review committees is also enclosed.

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

Sincerely,

  
C. D. Besadny  
Secretary

Enc.