

CR 90-49



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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STATE OF WISCONSIN)
)
DEPARTMENT OF NATURAL RESOURCES) SS

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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-17-90 was duly approved and adopted by this Department on July 26, 1990. 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 here-
unto set my hand and affixed the
official seal of the Department at
the Natural Resources Building in
the City of Madison, this 16th
day of November, 1990.

Bruce B. Braun
Bruce B. Braun, Deputy Secretary

(SEAL)

2-1-91

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

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.....
IN THE MATTER of repealing ss. NR 20.03(1)(d)3. .
and 20.04(3)(am)2.; amending ss. NR 20.03(1) .
(d)5 and (e)3., 20.04(3)(a)69. and (am)9., and . FM-17-90
21.04(7) and (11)(a); and repealing and .
recreating s. NR 21.02(9) of the Wisconsin .
Administrative Code pertaining to sport fishing .
.....

Analysis Prepared by Department of Natural Resources

Authorizing statutes: ss. 29.174(3), 227.11(2) and 227.16(2)(e),
Stats.

Statutes interpreted: ss. 29.085 and 29.174(2)(a), Stats.

The Order:

1. Closes the season on lake sturgeon on the Mississippi river,
increases the minimum size limit on the remaining portions of the
Wisconsin-Minnesota Boundary Waters from 45 to 50 inches and
reduces the length of the open season from the period of the
Saturday closest to May 1 to October 31 to the period of the
first Saturday in September to October 15.

2. Increases the minimum size limit of muskellunge on the
Wisconsin-Minnesota Boundary Waters from 30 to 36 inches.

3. Shortens the continuous open season on most game fish species
to the normal statewide season which is the period from the first
Saturday in May to March 1 on the following waters:

a. Black River from Black River Falls to its confluence
with the Mississippi River.

b. Hatch, Silver and White lakes, Waupaca County.

c. Grand River from Fairwater in Fond du Lac County
downstream to the Grand River Wildlife Area dam in
Marquette County, including the Grand River Marsh.

d. Shawano Lake, Shawano County (northern pike only).

e. all waters of Menominee County (northern pike only).

4. Reduces the daily bag limit from 25 to 5 on northern pike in Shawano lake, Shawano county and all waters of Menominee county.
5. Establishes a 32 inch size limit and reduces the bag limit from 2 to 1 on northern pike on Silver lake, Kenosha county.
6. Establishes a 32 inch size limit on northern pike and closes the muskellunge season on Long lake, Waushara county.
7. Clarifies the definition of Mississippi River used in the Wisconsin - Minnesota Boundary Waters rules to ensure that the Burlington Northern railroad tracks serve as the regulatory boundary between the boundary waters and inland waters.

SECTION 1. NR 20.03(1)(d)3. is repealed.

SECTION 2. NR 20.03(1)(d)5. as affected by Natural Resources Board Order FM-75-89 is amended to read:

Kind of fish and locality	Open season (both dates inclusive)	Daily bag limit	Minimum length (inches)
5. a. Lake Mendota and its following tributaries: Cherokeelake, Warner Park lagoons, Pheasant Branch creek from its mouth upstream to county hwy. M, Sixmile creek from its mouth upstream to state hwy. 19 in sec. 8, and Yahara river from its mouth upstream to state hwy. 19; all in Dane county, <u>Silver lake, Kenosha county</u> and Wilson flowage, Price county	First Saturday in May to March 1	1	32
b. <u>Long lake, Waushara county</u>	<u>First Saturday in May to March</u>	<u>5</u>	<u>32</u>

SECTION 3. NR 20.03(1)(e)3. is amended to read:

Kind of fish and locality	Open season (both dates inclusive)	Daily bag limit	Minimum length (inches)
3. a. Nancy lake, Washburn county	No open season in years 1987 to 1995; beginning in 1996, the open season is the same as that for all other waters north of state highway 10	---	---
b. Long lake Waushara county	<u>No open season</u>	---	---

SECTION 4. NR 20.04(3)(a)69. is amended to read:

NR 20.04(3)(a)69. Waupaca county-Campbell, Crystal, Cynco (Rice), Hatch, Kinney, Partridge, and Partridge Crop, ~~Silver, and White~~

SECTION 5. NR 20.04(3)(am)2. is repealed.

SECTION 6. NR 20.04(3)(am)9. is amended to read:

NR 20.04(3)(am)9. Grand river from ~~Fairwater in Fond du Lac county~~ the Grand River wildlife area dam downstream to the Fox river, all in Marquette county.

SECTION 7. NR 21.02(9) is repealed and recreated to read:

NR 21.02(9) "Mississippi river" means all waters from the Burlington Northern railroad main tracks on the east side of the Mississippi river extending west from the railroad tracks to that part of the river following the boundary between the states of Wisconsin and Minnesota. "Mississippi river" includes Lake Onalaska and Lake Pepin.

SECTION 8. NR 21.04(7) is amended to read:

Kind of fish and locality	Open season (both dates inclusive)	Daily bag limit	Minimum length (inches)
<u>(7) LAKE STURGEON</u>			
(a) St. Croix and Mississippi rivers <u>river</u>	Saturday nearest May 1 to October 31 <u>First Saturday in September to October 15</u>	1 per season	45 <u>50</u>
(b) <u>Mississippi river and St. Louis river</u>	No open season	--	--

SECTION 9. NR 21.04(11)(a) is amended to read:

Kind of fish and locality	Open season (both dates inclusive)	Daily bag limit	Minimum length (inches)
(a) St. Croix river and Mississ-ippi river from Prescott downstream	Saturday nearest May 1 to March 1	1	30 <u>36</u> inches

The foregoing rule was approved and adopted by the State of Wisconsin Natural Resources Board on July 26, 1990

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 November 15, 1990

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

BY Carroll D. Besadny
Carroll D. Besadny, Secretary

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