



CR 91-107

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny  
Secretary

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STATE OF WISCONSIN )  
 )  
DEPARTMENT OF NATURAL RESOURCES )      ss

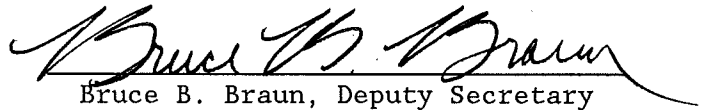
TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

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-35-91 was duly approved and adopted by this Department on October 24, 1991. 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 7th day of January, 1992.

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JAN 14 1992  
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Bruce B. Braun, Deputy Secretary

(SEAL)

4-1-92

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

RECEIVED

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IN THE MATTER OF repealing ss. NR 20.03(1)(a)1.d., .  
and 4., 20.04(3)(am)17.f., and 26.01(63)(b); .....  
renumbering s. NR 20.015 (4b), (4d), (4e), (4g), .  
(4t) and (5); amending ss. NR 20.02(1)(d)2., .  
20.03(1)(intro.), (a)1.e. and f. and 7.c., (f)2. .  
and (g)2., 20.06(1)(b)9. and 18., 20.07(10), 20.15 .  
(1)(a) and 23.05(5)(c); and creating ss. NR 20.015 .  
(5) to (7) and 20.03(1)(a)1.a., (c)2. and (d)1.a., .  
of the Wisconsin Administrative Code relating to .  
sport fishing. .  
.....

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FM-35-91

Analysis Prepared by Department of Natural Resources

Statutory authority: ss. 29.085, 29.174(3) and 227.11(2)(a) and 227.16(2)(e), Stats.

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

The order:

1. Defines the waters of Green Bay and Lake Michigan for purposes of the sport fishing regulations in chapter NR 20.
2. Provides a more accurate description of the lake trout refuge on Lake Michigan between Sturgeon Bay and Algoma.
3. Amends the possession limit so that a person authorized by a department permit or other license may possess more than double the daily bag limit (the maximum now authorized in chapter NR 20). Existing language is revised to acknowledge licensed private fish hatcheries, holders of permits to introduce fish, holders of permits for private management and others who would, under permit, redistribute fish taken in fishing tournaments.
4. Establishes zero bag limits for largemouth and smallmouth bass in Forest Lake, Fond du Lac county and Bittersweet, Oberlin, Prong and Smith lakes in Vilas county; and for walleye and northern pike in Forest lake, Fond du Lac county.
5. Eliminates a 5 fish daily bag limit and an 18 inch minimum size limit for largemouth bass on Day lake, Ashland county.
6. Adds Day, East Twin, Mineral and Spillerberg lakes, Ashland county, O'Brien lake, Iron county, Bass lake, Price county and Black lake, Sawyer county to those with a bag limit of 1 fish and an 18 inch minimum size limit for largemouth and smallmouth bass.

7. Adds Loon and Gates lakes, Ashland county, Bass, East Twin and West Twin lakes, Bayfield county, Upson lake, Iron county, Blockhouse and Sailor lakes, Price county, South Twin lake, Taylor county and Wabasso lake, Vilas county to those with a bag limit of 2 fish and minimum size limit of 15 inches for largemouth and smallmouth bass.
8. Eliminates the provision of a 12 to 15 inch possession prohibition for largemouth and smallmouth bass on Loveless lake, Polk county and Wabasso lake, Vilas county. Loveless lake is returned to the statewide size limit by this action.
9. Removes the zero bag limit for largemouth bass and establishes a 5 fish bag limit with a minimum size limit of 18 inches for both largemouth and smallmouth bass on Round lake, Waushara county.
10. Revises the daily bag limit on trout and salmon on Lake Michigan and Green Bay tributary streams from their mouth upstream to the first dam or lake by deleting the wording that limited fishers to no more than 3 fish of the same species and to 2 rainbow trout.
11. Extends the closed season indefinitely for lake trout in Palette lake, Vilas county.
12. Repeals the year-round open season on that portion of the Yahara river beginning at the dam at Fulton in Rock county downstream to the Rock river. The dam is being removed and game fish will need protection as they invade a new area for spawning.
13. Removes the Holcombe flowage, in Chippewa county and Big Dells pond in Eau Claire county from waters exempt from motor trolling restrictions. These are flowages on the Chippewa river and, therefore, are already exempt from trolling restrictions, as are other flowages from the Holcombe flowage downstream.
14. Requires the Great Lakes trout and salmon stamp to have the signature of the licensee written across the face of the stamp and the stamp to be firmly affixed to the persons's valid license, consistent with the requirements for other stamps affixed to the license, thus eliminating transfer of the stamp.
15. Adds Chippewa county to the list of counties in which bullheads are declared detrimental fish, thus allowing the department to conduct bullhead removal operations.

16. Reduces the lake sturgeon bag limit from 2 to one fish per season on Wisconsin-Michigan boundary waters.
  17. Eliminates Rice creek, Vilas county, as a fish refuge.
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SECTION 1. NR 20.015(4b), (4d), (4e), (4g), (4t) and (5) are renumbered to be NR 20.015 (8) to (13).

SECTION 2. NR 20.015(5) to (7) are created to read:

NR 20.015(5) "Green Bay" means those waters of Lake Michigan located to the west of the Green Bay-Lake Michigan line.

(6) "Green Bay-Lake Michigan line" means a line commencing at the northwest side of the Northport dock where it joins the shoreline in section 33, T33N, R29E; then running northeasterly to the range light (signal light) on Plum island; then running along the north and west shore of Plum island to the U.S. coast guard station; then running northerly to the southwesterly point on Shellswick dock, which is located on Lobdell's point on Washington island; then running along Shellswick dock to the shoreline of Lobdell's point; then running along the west shore of Washington island to Boyer's Bluff light; then running north to its terminus at the Wisconsin-Michigan boundary line.

(7) "Lake Michigan" means those waters of Lake Michigan located east of the Green Bay-Lake Michigan line.

SECTION 3. NR 20.02(1)(d)2. is amended to read:

Species	Area	Open season	Daily bag limit	Minimum length (in.)
	2. Lake Michigan, within the following area:	All year except there is no open season for lake trout.	5 in total of which none may be lake trout. No person may possess lake trout when fishing in this area of Lake Michigan.	10
	<p>From the end of the south pier at the entrance of the Sturgeon Bay ship canal on a course of 136° <u>from true north</u> for 17.5 <del>nautical</del> <u>statute</u> miles, then west for 16.8 <del>nautical</del> <u>statute</u> miles to the end of the Algoma north pier, then along the north side of that pier to the shore of Lake Michigan, then north along the shore to the base of the south pier at the entrance of the Sturgeon Bay ship canal, then along the south side of that pier to its end.</p>			

SECTION 4. NR 20.03(1)(intro.) is amended to read:

NR 20.03(1)(intro.) The open seasons specified in the following table apply to fishing in open waters and fishing through the ice, except that the department shall close the season for fishing through the ice in any inland waters when it finds after scientific investigation and study that continued

fishing through the ice in specified waters would result in a depletion of the supply of game fish and that a closed season is necessary to conserve the fish supply and insure the citizens of this state continued opportunities for good fishing. The closed seasons shall be put into effect by posting a notice on or in the vicinity of the shore of the waters affected. Posting is deemed by the department to be the most feasible way of notifying the public that a closed season is in effect. The closed seasons shall remain in full force and effect so long as the waters are covered with ice and so long as posting is continued. The department may also, following scientific investigation and study, establish bag limits and size limits on the individual inland waters when it finds that the taking of fish will aid in management of the fishery and insure the citizens of this state additional opportunities for good fishing. Such special regulations shall become effective only after public informational meetings are held. The department may also establish an urban fishing program by posting the open and closed seasons on specified waters. For open seasons in specified waters see s. NR 20.04. The possession limit for each species of fish, except trout as specified in sub. (5), shall be double the daily bag limit specified in this chapter except that no person may have in possession or under control more than the daily bag limit while on the ice or waters or while fishing in the state of Wisconsin unless the person holds a permit issued by the department under this section and s. NR 19.05 for restocking of

fish caught in a fishing tournament or holds a permit or license which authorizes possession of a greater number under s. 29.135, 29.513, 29.52 or 29.535, Stats. The measure of all fish taken shall be in a straight line from the tip of the snout to the uppermost end of the tail fin fully extended.

SECTION 5. NR 20.03(1)(a)1.a. is created to read:

Kind of fish and locality	Open season (both dates inclusive)	Daily bag limit	Minimum length (inches)
a. Forest lake, Fond du Lac county; Bittersweet, Oberlin, Prong and Smith lakes, Vilas county	First Saturday in May to March 1	0	--

SECTION 6. NR 20.03(1)(a)1.d. is repealed.

SECTION 7. NR 20.03(1)(a)1.e. and f. are amended to read:

Kind of fish and locality	Open season (both dates inclusive)	Daily bag limit	Minimum length (inches)
e. <u>Lake Three, Day lake, East Twin lake, Mineral lake and Spillerberg lake,</u> Ashland county; <u>Crooked and Lund lakes,</u> Bayfield county; <u>Evelyn, O'Brien and One Man lakes,</u> Iron county; <u>and Cochran lake and Bass lakes,</u> Price county; <u>and Black lake,</u> Sawyer county	First Saturday in May to March 1	1	18
f. <u>Gates and Loon lakes,</u> Ashland county; <u>Bass, East Twin and West Twin lakes,</u> Bayfield county; <u>Gile flowage and Upson lake,</u> Iron county; <u>Blockhouse and Sailor lakes,</u> Price	First Saturday in May to March 1	2	15

county; South Twin lake, Taylor county; and Wabasso lake, Vilas county

SECTION 8. NR 20.03(1)(a)4. is repealed.

SECTION 9. NR 20.03(1)(a)7.c. is amended to read:

Kind of fish and locality	Open season (both dates inclusive)	Daily bag limit	Minimum length (inches)
c. Round lake (sec. 25, T20N, R11E), Waushara county <del>(largemouth bass)</del>	First Saturday in May to March 1	<del>None may be kept until May 1, 1992,</del> 5 thereafter	14 18

SECTION 10. NR 20.03(1)(c)2. is created to read:

Kind of fish and locality	Open season (both dates inclusive)	Daily bag limit	Minimum length (inches)
2. Forest lake, Fond du Lac county	First Saturday in May to March 1	0	--

SECTION 11. NR 20.03(1)(d)1.a. is created to read:

Kind of fish and locality	Open season (both dates inclusive)	Daily bag limit	Minimum length (inches)
a. Forest lake, Fond du Lac county	First Saturday in May to March 1	0	--



SECTION 12. NR 20.03(1)(f)2. is amended to read:

Kind of fish and locality	Open season (both dates inclusive)	Daily bag limit	Minimum length (inches)
2. All Lake Michigan and Green Bay tributary streams upstream to the first dam or lake or to the third county highway "C" bridge on the Kewaunee river. (See also s. NR 20.04(3)(c).)	All year except the open season for lake trout is from May 1 through Labor Day	5 in total of which only <del>3</del> may be of one species, only 2 may be rainbow trout and only 2 may be lake trout	10

SECTION 13. NR 20.03(1)(g)2. is amended to read:

Kind of fish and locality	Open season (both dates inclusive)	Daily bag limit	Minimum length (inches)
2. Palette lake, Vilas county	No open season through 1991	-	-

SECTION 14. NR 20.04(3)(am)17.f. is repealed.

SECTION 15. NR 20.06(1)(b)9. and 18. are amended to read:

NR 20.06(1)(b)9. Chippewa county - Chain; ~~Holecombe flowage~~; Long 32-8

18. Eau Claire county - Altoona; ~~Big Dells pond~~; Eau Claire

SECTION 16. NR 20.07(10) is amended to read:

NR 20.07(10) No person shall ~~may~~ fish for trout in inland waters without a an inland waters trout stamp or fish for trout or salmon in the outlying trout and salmon waters without a Great

Lakes trout and salmon stamp of current issue with the signature of the licensee written in ink across its face and firmly affixed by its own adhesive to the back of a the person's valid fishing or sportsman's sports license.

SECTION 17. NR 20.15(1)(a) is amended to read:

NR 20.15(1)(a) All waters in Barron, Burnett, Chippewa, Langlade, Lincoln, Marathon, Oneida, Polk, Price, Rusk, Sawyer, Taylor, Vilas and Washburn counties.

SECTION 18. NR 23.05(5)(c) is amended to read:

Kind of fish and locality	Open season (both dates inclusive)	Possession and daily bag limit	Minimum length(in.)
(c) Lake sturgeon in all boundary waters	First Saturday in September to November 1	2 <u>1</u> per season	50

SECTION 19. NR 26.01(63)(b) is repealed.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on October 24, 1991.

The rules contained herein 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 January 7, 1992.  
STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES

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By Carroll D. Besadny  
Carroll D. Besadny, Secretary

(SEAL)



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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January 8, 1992

Mr. Gary L. Poulson  
Assistant Revisor of Statutes  
119 Martin Luther King, Jr., Blvd.

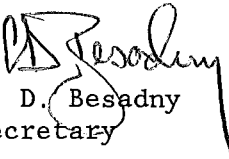
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Dear Mr. Poulson:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. FM-35-91. These rules were reviewed by the Assembly Committee on Natural Resources and the Senate Committee on Urban Affairs, Environmental Resources and Elections 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,

  
C. D. Besadny  
Secretary

Enc.