

NR 20.07 Prohibited methods of fishing. (1) Except as otherwise expressly provided by the Wisconsin Statutes or by department order:

(a) No person may take, catch, or kill fish or fish for fish of any kind with more than 3 hooks, baits or lures.

(b) No person may:

1. Fish with an unattended line in any waters.
2. Fish by snagging, fouling or attempting to hook fish other than in the mouth.
3. Keep any fish hooked other than in the mouth.
4. Fish with the aid or use of any firearm or pellet gun in any manner or by any means other than angling or trolling.
5. Use a telemetry device attached to or implanted in fish to aid in fishing.

(c) No person shall use as bait or possess or release any minnows or other fish except trout on any waters or shores of such waters which have been chemically treated for trout management and which are so identified and designated by signs posted on the shores thereof by the department of natural resources.

(d) No person shall place minnow traps in waters which have been chemically treated to reestablish a trout fishery.

(e) No person shall use minnows as bait while fishing through the ice in Green Lake, Green Lake county except where the lake is 50 feet or less in depth.

(f) Any fish taken into actual possession, unless released immediately, shall be included as part of the daily bag limit.

(g) Landing nets 3 feet or less in diameter or a gaff may be used for the purpose of landing fish legally hooked.

(h) No person may take, catch or kill fish or fish for fish in open water using a free-floating or anchored, buoyant device with attached hook and line, which is not held or otherwise controlled by the fisher, commonly known as jug fishing, except under a set-line or bank pole license issued pursuant to s. 29.531, Stats.

(2) (a) No person may, except as expressly authorized, possess or control on any of the inland or outlying waters or shores of inland or outlying waters at any time any gun, bow and arrow, spear, net or similar device that might be used for the purpose of taking, catching or killing fish.

(b) No person other than the licensee or licensee's designee or department agent may raise, remove, or otherwise tamper with commercial gear set in Wisconsin inland and boundary waters.

(3) It shall be lawful to take rough fish by hand at any time in all waters.

(4) (a) No person may as prescribed in sub. (2) take, catch or kill fish in the counties of Ashland (except in the Bad river as provided in par. (e)), Bayfield, Iron, Oconto (in that portion of the county west of highway #141 only), Oneida, Pierce, Price, Sawyer and Vilas counties, except that rough fish may be taken sunrise to sunset with bow and arrow from the Saturday nearest May 20 to July 1 each year in Iron and Sawyer counties, and in Fish creek slough, from its mouth upstream to the junction of North and South Fish creeks, Bayfield county.

(b) It shall be lawful to take rough fish by means of spear or spear fishing by the method commonly known as skin diving or bow and arrow from April 21 to March 1, inclusive, sunrise to sunset in the inland waters or from shores of inland waters of Brown, Buffalo, Calumet (except during a sturgeon spearing season in any specified water), Clark, Door, Dunn, Eau Claire, Florence, Fond du Lac (except during a sturgeon spearing season in any specified water), Forest, Green Lake, Jackson, Juneau, Kewaunee, La Crosse, Langlade, Lincoln, Manitowoc, Marathon (except that spearing is prohibited in the Big Eau Pleine flowage from the dam upstream to highway 97 from November 1 to April 20), Marinette, Monroe, Oconto (in that portion of the county east of highway 141 only), Outagamie (except during the sturgeon spearing season in any specified water), Pepin, Portage, St. Croix, Shawano, Trem-

pealeau, Winnebago (except during a sturgeon spearing season in any specified water), and Wood.

(c) It shall be lawful for any person to take rough fish by means of spears or by spear fishing by the method commonly known as skin diving or bow and arrow at any time of the year, sunrise to sunset, in the inland waters or from shores of inland waters of the counties of Adams, Columbia, Crawford, Dane, Dodge, Grant, Green, Iowa, Jefferson, Kenosha, Lafayette, Marquette, Milwaukee, Ozaukee, Racine, Richland, Rock, Sauk (except it is illegal to spear fish while skin diving or with bow and arrow in Devil's lake), Sheboygan, Vernon, Walworth, Washington, Waukesha, Waupaca and Waushara (except during a sturgeon spearing season in any specified water).

(d) It is lawful to take white bass, yellow bass (striped), rock bass, crappie, bluegill, perch, pumpkinseed (sunfish) and bullheads with the use of spears and spearguns by skin diving and scuba diving in all waters where spearing for rough fish is permitted subject to the same seasons prescribed in sub. (4) (a), (b), (c) and (e) and subject to bag limits prescribed in s. NR 20.03.

(e) It shall be lawful for any person to take rough fish by means of spears or by spear fishing by the method commonly known as skin diving or bow and arrow, sunrise to sunset, from the Saturday nearest May 20 to November 1, inclusive, on the inland waters or from shores of inland waters in the counties of Burnett, Chippewa, Douglas, Rusk, Taylor, Washburn, Polk and Barron. Burbot (but no other species) may also be speared from sunset to sunrise in the Amnicon and Nemadji rivers and the Black river upstream to the Minneapolis, St. Paul and Sault Ste. Marie railroad bridge from December 15 to January 31, inclusive, in Douglas county and the Bad river, Ashland county.

(5) (a) The possession or use of a gun, bow and arrow, spear or similar device for the taking, catching or killing of fish in or on any designated trout stream is prohibited at all times except as indicated in par. (b).

(b) Suckers and carp may be speared, sunrise to sunset only, from Saturday nearest March 15 to, but not including the Saturday nearest May 1, in the following trout waters in Waushara county:

1. White river below the junction of the main and west branches in SE1/4 NE1/4, sec. 10, township 18 north, range 10 east, town of Dakota, downstream to the White river flowage in sec. 13 of Dakota township.

2. Willow creek between the point where the 2 branches of said stream unite in section 12, township 18 north, range 11 east, town of Marion and the dam in Auroraville.

3. The Pine river between the point where the said stream crosses the highway in section 3, township 19 north, range 12 east, town of Leon to the dam in Poyssippi.

(7) It shall be unlawful to use goldfish or alewife in any form or manner for bait or to have goldfish or alewife in possession on the inland, boundary or Lake Superior waters of the state. Alewife but not goldfish may be possessed and used for bait in Lake Michigan waters.

(8) No person shall, except as otherwise expressly provided, set, place, use, operate or have in possession or under control any snag line or snag pole, snaghook or parts thereof or cluster of fish hooks that might be attached to same designed to be placed in or drawn through the water for the purpose of catching or drawing such hooks into the body of fish or used for that purpose; except that carp, but no other species or variety fish, may be taken by means of a gaff hook through the ice, sunrise to sunset, in the outlying and reserve water of Lake Michigan and Green Bay.

(9) No person shall use or have in possession or under his or her control or maintenance in any of the inland waters of this state, any live box, crib or similar device except receptacles carried by or with the fisher to contain a catch while fishing, that might be used for the keeping of fish unless he or she shall have securely attached thereto in such a manner as to be readable and legible at

all times a tag of permanent material bearing the name and address of the owner or user.

(10) No person may fish for trout in inland waters without 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 the person's valid fishing or sports license.

(11) No person may fish for largemouth or smallmouth bass in Little Bass lake (T39N, R7E, sec. 15), Oneida county or Wildwood lake, Vilas county, except with artificial lures.

History: 1-2-56; am. (1) (d), (4) (a), (b) (c) and (e) and (7), cr. (1) (ee) and (g), Register, November, 1975, No. 239, eff. 12-1-75; emerg. am. (2), renum. (3) (a), to (e) to be (4) (a) to (e) and am. eff. 4-30-76; r. (1) (ff) and (5) (b) 1, r. and recr. (2) and (3), Register, December, 1976, No. 252, eff. 1-1-77; am. (1) (c), (4) (b) and (e), (5) (a), Register, December, 1977, No. 264, eff. 1-1-78; cr. (10), Register, June, 1978, No. 270, eff. 7-1-78; r. and recr. (1) (g), Register, December, 1978, No. 276, eff. 1-1-79; am. (1) (a) and (4) (b) and (c) and cr. (5) (b) 1., Register, December, 1979, No. 288, eff. 1-1-80; am. (1) (a), Register, December, 1980, No. 300, eff. 1-1-81; renum. (2) to be (2) (a) and cr. (2) (b), Register, December, 1981, No. 312, eff. 1-1-82; cr. (11), Register, December, 1982, No. 324, eff. 1-1-83; r. (5) (c) and (11), Register, June, 1984, No. 342, eff. 7-1-84; r. and recr. (1) (d), am. (4) (a), Register, December, 1984, No. 348, eff. 1-1-85; r. and recr. (1) (a), r. (1) (b) and (c), renum. (1) (d) to (g) to be (b) to (f), am. (2) (a), Register, December, 1985, No. 360, eff. 1-1-86; am. (1) (a), Register, March, 1986, No. 363, eff. 4-1-86; r. and recr. (1) (b), cr. (1) (g), Register, October, 1991, No. 430, eff. 11-1-91; cr. (1) (h), Register, December, 1991, No. 432, eff. 1-1-92; am. (10), Register, March, 1992, No. 435, eff. 4-1-92; corrections in (9) made under s. 13.93 (2m) (b) 5., Stats., Register, March, 1994, No. 459; am. (4) (a), Register, December, 1994, No. 468, eff. 1-1-95; cr. (11), Register, November, 1995, No. 479, eff. 4-1-96; correction in (5) made under s. 13.93 (2m) (b) 7., Stats., Register, December, 1996, No. 492.

Note: For a complete history of NR 20.07, see the history as it appeared in January, 1975, Administrative Register.

NR 20.08 Fishing tournaments. (1) DEFINITIONS. (a) "Fishing tournament" means any organized fishing activity, on any water of the state at any time, where competition is the primary intent, where prizes are awarded which, in total, have a value of more than \$500, where the total number of participants is greater than 40 individuals or 20 boats, where the waters to be fished are identified by name by the sponsor, and where participants are required to fish on the same dates.

(b) "Person" means any individual, partnership, association, organization and body politic and corporate.

(c) "Sponsor" means a person who advances, conducts, directs, establishes, organizes, promotes or otherwise is responsible for the operation of a fishing tournament, but does not include a person who only assists in advertising or publicizing another person's fishing tournament. "Sponsor" also means to advance, conduct, direct, establish, organize, promote or otherwise be responsible for the operation of a fishing tournament.

(2) **PERMIT REQUIRED.** No person may sponsor a fishing tournament without first obtaining a permit from the department.

(3) **APPLICATION.** A person who wishes to sponsor a fishing tournament shall apply to the department for a permit on forms available from the department. The application shall be submitted no sooner than one calendar year before the starting date of the tournament and no later than 30 days before the starting date of the tournament.

Note: Application forms may be obtained at no charge from the department's district offices and the central office in Madison.

(4) **ACTION ON APPLICATIONS.** (a) The department shall act on fishing tournament permit applications no later than 10 business days following receipt of a complete application.

(b) Permits shall be granted unless the sponsor's privilege has been revoked pursuant to sub. (9).

(5) **COMPLIANCE.** All participants in a permitted tournament shall comply with all provisions of the permit. In the event that a participant clearly fails to comply with the permit, the violating participant shall promptly be disqualified or expelled from the tournament by the sponsor. The department may impose penalties under sub. (9) and take other appropriate enforcement action against the violating participant.

(6) **GENERAL PROVISIONS AND PERMIT CONDITIONS.** (a) No person may sponsor fishing tournaments on the same body of water with starting dates separated by less than 2 weeks.

(b) No person may sponsor a fishing tournament for a particular species of fish on the opening weekend of any fishing season for that species on any water subject to the opening.

(c) All permits for fishing tournaments shall:

1. Identify areas where competitive fishing is prohibited for the following reasons:

a. To protect critical habitat, including areas designated by local ordinance for aquatic vegetation preservation or areas where habitat enhancement activity is underway and

b. To protect public rights, interests or safety, including designated swimming areas, mooring areas, access areas, navigational channels, staging areas, beaches or other special use areas.

2. Specify the method for fish holding and release for tournaments where fish are reduced to possession, usually for purposes of recording, and live fish are then released to the water from which they came.

Note: NR 20.03 (1) provides for permits for restocking.

3. Contain provisions for other than live release of fish when the department determines that weather conditions and water temperature are not conducive to survival of fish intended for release and the release may constitute malicious waste of natural resources under the provisions of s. 23.095 (1), Stats.

4. Prohibit the use of tagged fish, except when approved by the department to enhance collection of data for management purposes as part of a scientific study, or when tagged fish are legally obtained from a licensed private fish hatchery and are planted under a stocking or introduction permit issued by the department under s. 29.745, Stats., and s. NR 19.05.

(d) Pursuant to s. NR 20.07 (1) (f) any fish taken into actual possession by an individual and not released immediately shall be included as part of the individual's daily bag limit.

(e) The time limitations upon the length of a fishing tournament under this section do not include fishing activities by tournament participants carried out prior to the time when the tournament begins.

(f) Except for tournaments on the Great Lakes, the fishing portion of any tournament may not run for more than 10 consecutive hours each day or more than 3 consecutive days.

(g) The fishing portion of tournaments on the Great Lakes is not limited.

(8) **REPORTING.** Each sponsor shall report the results of the sponsor's tournament and other information which the department deems necessary on forms available from the department no later than 30 days following the last day of the tournament.

Note: Reporting forms will be issued with permits.

(9) **PENALTIES.** In addition to any penalties provided by law, the department shall, for a period of 2 years from the date of violation, deny any tournament fishing permit application submitted by a person it determines failed to comply with a tournament fishing permit or with a rule relating to tournament fishing.

(10) **SUNSET.** This section shall remain in effect until December 31, 1998.

History: Cr. Register, March, 1994, No. 459, eff. 4-1-94; am. (10), Register, December, 1996, No. 492, eff. 1-1-97.

NR 20.09 Dip nets and seines in inland and outlying waters. (1) GENERAL RESTRICTIONS. Except as provided in this section and in ss. NR 20.04, 20.10 and 20.11 no person shall set, use or operate any dip net in any of the inland or outlying waters of the state for taking, catching or killing any variety of fish. No person, while operating a dip net for rough fish, shall fish for fish in any other manner at that time and no person shall fish with hook and line from any boat that has a dip net attached. Only one dip net per person is permitted for the taking of smelt and minnows. Such

dip net must be attended at all times while in use and such nets shall only be raised and lowered vertically when fishing.

(a) It is unlawful to sell, barter or trade in any manner any suckers taken pursuant to this section.

(b) Notwithstanding any provision of this chapter, no person may take any fish other than smelt or suckers with dipnets or seines from the following waters:

1. Lake Superior, its bays and tributaries, only smelt may be taken.
2. Little river from its mouth upstream to the state highway 141 bridge.
3. Kewaunee river and its tributaries except Little Scarboro, Scarboro, Roger and Casco creeks.
4. Milwaukee river from its mouth upstream to the Chair Factory dam in the village of Grafton.
5. Menomonee river from its mouth upstream to the 45th street drop structure in the city of Milwaukee.
6. Pike river and its tributaries.
7. All other tributaries to Lake Michigan or Green Bay from their mouths upstream to the first dam or lake.

(2) **USE OF DIP NETS.** (a) *Definition.* Dip nets used for taking, catching, or killing rough fish shall be defined as follows: a piece of netting suspended from a round or square frame not exceeding 8 feet in diameter or 8 feet square.

(d) *Fond du Lac county.* One dip net per person may be used, sunrise to sunset, from May 1 to March 15, for taking, catching or killing rough fish, except suckers, in that part of the Fond du Lac river in Fond du Lac county beginning at its mouth and extending upstream 3 miles.

(e) *Dodge and Jefferson counties.* One dip net per person may be used sunrise to sunset for the taking, catching or killing of rough fish all year in the following waters:

1. In the Rock river in Dodge, Jefferson and Rock counties.
2. In the Crawfish river in Jefferson county.
3. In Beaver Dam lake in Dodge county.
4. In the Beaver Dam, Crawfish and Wildcat rivers in Dodge county.
5. In the Bark river and tributaries to Hebron dam and in creeks and tributaries of the Rock and Crawfish rivers in Jefferson county.

(f) *Calumet county.* One dip net per person may be used from April 25 to May 31, both dates inclusive for the removal of rough fish from that part of Lake Winnebago within a distance of 500 feet from the shoreline of Calumet county.

(g) A dip net not exceeding 8 feet in diameter or 8 feet square may be used in all other waters except designated trout streams at any time of the year, sunrise to sunset, for the taking of rough fish with no bag or possession limit.

(3) **SMELT.** (a) Dip nets not exceeding 8 feet in diameter or 8 feet square may be used at any time for the taking, catching or killing of smelt in Lake Michigan and all the streams and rivers flowing into Lake Michigan and the northern and southern parts of Green Bay, in that part of each of such streams beginning at or in the bay or lake and extending upstream to a point 500 feet below the first dam located on any such stream or a distance of 5 miles inland on any of such streams where no dam is located within 5 miles of the mouth.

(b) Dip nets not exceeding 8 feet in diameter or 8 feet square, may be used from April 1 to May 25 for the taking, catching, or killing of smelt in Lake Superior and all streams flowing into Lake Superior in Bayfield, Ashland and Iron counties and the Brule river in Douglas county from a point beginning at their mouths and extending inland for a distance of one-half mile in a straight line. Zoning does not apply on Bear creek, Bluff creek and Nemadji river, the St. Louis river and the other non-trout streams in Douglas county and in the waters of the Chippewa, Bad, and

White rivers in Ashland county not inhabited by trout, or on streams where active sea lamprey control structures are located.

(c) Seines not more than 75 feet in length and not more than 6 feet in depth may be used from April 1 to May 25 for the taking, catching and killing of smelt and suckers in all the outlying waters except that portion of the Fox river in Brown county upstream from 1,500 feet below the dam in the city of DePere and St. Louis bay, Superior bay, Allouez bay and from the mouth of the St. Louis river upstream to the north 28th St. landing in Douglas county. However, seines of this dimension may be used for the taking, catching and killing of smelt in St. Louis bay, Superior bay, Allouez bay and from the mouth of the St. Louis river upstream to the north 28th St. landing in Douglas county.

(d) It shall be unlawful for any person to leave dip nets or seines unattended within 25 feet of the edge of waters named in pars. (a), (b) and (c).

(e) Dip nets not exceeding 8 feet in diameter or 8 feet square may be used for the taking, catching or killing of smelt in Lake Lucerne, Forest county and the Flambeau lake chain, Vilas county, including throughfares and tributary streams 200 feet upstream and downstream from the lake basins. The open and closed seasons shall be at the directive of the district director.

History: 1-2-56; am. (2) (b), (d) and (e), and (3) (b), Register, December, 1957, No. 24, eff. 1-1-58; am. (1) intro. par. and (2) (a), Register, October, 1958, No. 34, eff. 1-1-59; am. (2) (f), Register, December, 1959, No. 48, eff. 1-1-60; am. (2) (c), Register, December 1960, No. 60, eff. 1-1-61; am. (1) intro. par.; (2) (c), (3) (a) and (c), Register, December, 1961, No. 72, eff. 1-1-62; cr. (2) (g), Register, December, 1962, No. 84, eff. 1-1-63; am. (2) (g), Register, December, 1964, No. 108, eff. 1-1-65; r. and recr. (1) (a) and (2) (g), Register, November, 1965, No. 119, eff. 1-1-66; am. (2) (b) and (c), Register, December, 1968, No. 156, eff. 1-1-69; cr. (3) (d), Register, October, 1969, No. 166, eff. 1-1-70; renum. WCD 20.09 to be NR 20.09; am. (1) (intro. par.), Register, November, 1970, No. 170, eff. 1-1-71; am. (1) (e) and (1) (e) 1., Register, November, 1975, No. 239, eff. 12-1-75; am. (1), (2) (b), (c) and (g) and cr. (3) (e), Register, December, 1977, No. 264, eff. 1-1-78; am. (3) (a) and (b), Register, December, 1978, No. 276, eff. 1-1-79; am. (3) (e), Register, December, 1980, No. 300, eff. 1-1-81; am. (3) (c), Register, December, 1984, No. 348, eff. 1-1-85; am. (2) (g), Register, November, 1986, No. 371, eff. 12-1-86; am. (2) (g), (3) (b), (c), (e), Register, December, 1994, No. 468, eff. 1-1-95; correction in (3) (d) made under s. 13.93 (2m) (b) 4., Stats., Register, November, 1995, No. 47; cr. (1) (b), r. (2) (b) and (c), am. (2) (g), Register, October, 1997, No. 502, eff. 4-1-98.

NR 20.10 Minnow nets, traps, and seines. (1) **USE LIMITED.** No 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.

(b) Notwithstanding any provision of this chapter, no person may take any fish other than smelt or suckers with nets, traps or seines from the following waters:

1. Lake Superior, its bays and tributaries, only smelt may be taken.
2. Little river from its mouth upstream to the state highway 141 bridge.
3. Kewaunee river and its tributaries except Little Scarboro, Scarboro, Roger and Casco creeks.
4. Milwaukee river from its mouth upstream to the Chair Factory dam in the village of Grafton.
5. Menomonee river from its mouth upstream to the 45th street drop structure in the city of Milwaukee.
6. Pike river and its tributaries.
7. All other tributaries Lake Michigan or Green Bay from their mouths upstream to the first dam or lake.

(2) **BAG LIMIT.** It shall be unlawful for any person except licensed bait dealers to take in any waters in any one day more minnows than are specified in sub. (4) (c). The possession and transportation of minnows legally taken is permitted throughout the state.

(3) **INSECT LARVAE.** Except as hereinafter provided, it shall be unlawful for any person to take, gather or collect (or attempt to do so) for the use or sale as bait by himself or others any of the larvae or nymphs of aquatic insects in or from any stream or spring hole tributary thereto inhabited by trout. A licensed fisherman may

take such larvae or nymphs from trout streams by hand during the trout season for his immediate personal use as bait in the stream from which taken and no such larvae or nymphs may be carried away from the stream from which taken.

(4) **INLAND WATERS.** (a) Unless a permit has been issued under sub. (5) by the department in accordance with s. 29.516, Stats., only the following gear may be used for the taking of minnows for bait:

1. 'Minnow seines'. Minnow seines may not exceed 35 feet in length and shall contain mesh not to exceed one-half inch stretch measure.

2. 'Minnow dip nets'. Minnow dip nets shall be defined as follows: A piece of netting suspended from a round or square frame not to exceed 8 feet in diameter or 8 feet square.

3. 'Minnow traps'. Minnow traps shall be of a length not greater than 24 inches and of a width not greater than 16 inches square or in diameter with an opening in the throat of the trap not larger than 1 1/2 inches in diameter. The traps shall have securely attached to them a label or tag clearly bearing in the English language the name and address of the operator. All minnow traps shall be raised and the minnows removed from them at least once in every 48 hours from all waters, except department designated trout waters as indicated in department publications or under s. NR 1.02 (7). On designated trout waters, traps shall be raised and emptied every 24 hours during the open season for trout on the water, and during the closed season on such water, as required in the department permit authorizing placement of the trap.

(b) Unless a permit has been issued by the department, no person may use minnow seines or minnow dip nets of any type or description in inland streams or tributary spring holes inhabited by trout. Licensed bait dealers may use no more than a total of 20 minnow traps when removing minnows from one or more trout streams during the open season for trout, unless a permit has been issued. Persons not possessing a bait dealers license may use no more than a total of 3 minnow traps when conducting such removal. During the closed trout season, minnows may not be removed except by licensed bait dealers as authorized by permit.

(c) It shall be unlawful for any person, except bait dealers licensed pursuant to s. 29.509, Stats., to have in possession or under control more than 600 minnows at any time.

(5) **PERMITS FOR USE OF NONSTANDARD MINNOW GEAR.** A licensed bait dealer may apply to the department on a form provided by the department for a permit to take minnows with minnow seines, minnow dip nets or minnow traps which are otherwise prohibited by this section. Applications shall be submitted to the department district office having jurisdiction over the affected waters.

(a) The department shall issue the permit if it determines that the conditions of this paragraph are met.

1. For waters with public access which is adequate according to s. NR 1.90 (2) (a), the department must find that:

a. The department does not need the minnows for its fish management activities;

b. Removal of the minnows will not cause or substantially contribute to a long-term depletion of the forage base;

c. Threatened or endangered species listed in ch. NR 27 are not known to be present in or near the affected water;

d. Unique or sensitive biological values such as nesting loons or heron rookeries are not present in, on or near the affected water;

e. The use of the minnow seines, minnow dip nets or minnow traps is not likely to hinder or interfere with the exercise of a permit issued earlier in the year to another person for the water; and

f. The use of the minnow seines, minnow dip nets or minnow traps is not likely to hinder or interfere with any other public uses of the water.

2. For waters lacking adequate public access and for waters surrounded by private lands, the department must find that:

a. The requirements of subd. 1.a. to e. are met; and

b. The applicant provided the department with the name, mailing address and telephone number of the person granting the applicant legal access to the water.

(b) Permits issued by the department under this subsection shall:

1. Include the permit holder's name, address and bait dealer's license number,

2. Specify the water where the permit is valid,

3. Describe the minnow seines, minnow dip nets or minnow traps authorized,

4. Include an expiration date of December 31 of the calendar year in which the permit is issued, unless an earlier date is set under par. (c),

5. Prohibit the removal or destruction of vegetation, logs and other habitat features,

6. Require that minnows be transported only in tanks equipped with either an oxygen tank or an adequate aeration system,

7. Require that transport tanks and holding facilities not be loaded beyond their capacity to keep the minnows alive and healthy,

8. Require that all minnows taken under the permit be sold or used only for angling or rearing of fish in department or private fish hatcheries, and

9. Require that all minnows which are not kept for use or sale and all game fish caught by the minnow seines, minnow dip nets or minnow traps be promptly returned unharmed to the water.

(c) The department may require reporting of the permit holder's activities under the permit and may set reasonable permit conditions to insure that the requirements of par. (a) are met.

(d) The department shall act on a complete application for a permit under this subsection within 20 business days after it is received by the appropriate department district office.

(e) No permit holder may cause or allow the violation of any term or condition of a permit issued under this subsection. In addition to any other penalties, if a permit holder is convicted of causing or allowing a violation of any term or condition of a permit, the permit is terminated.

(f) The department may, at any time, revoke or modify a permit issued under this subsection if it determines that the minnow supply is in danger of being depleted in the water for which the permit was issued. A permit revocation or modification shall become effective when it is received by the permit holder or 3 business days after it is mailed to the permit holder at the address shown on the permit, whichever occurs first.

(g) Any person aggrieved by a decision of the department under this subsection may, within 30 days of the mailing of the decision, request a contested-case hearing before the department on the decision under s. 227.42, Stats.

History: 1-2-56; am (4), Register, December, 1956, No. 12, eff. 1-1-57; am (2), (4) (a) 3. and (b), Register, December, 1957, No. 24, eff. 1-1-58; am (4) (a) 2., Register, October, 1958, No. 34, eff. 1-1-59; am (4) (c), cr. (4) (d), Register, December, 1960, No. 60, eff. 1-1-61; r. and recr. (3), Register, December, 1961, No. 72, eff. 1-1-62; am (3) and (4) (a) 1., Register, December, 1964, No. 108, eff. 1-1-65; r. and recr. (4) (a) 1., Register, November, 1965, No. 119, eff. 1-1-66; r. (4) (d), Register, December, 1968, No. 156, eff. 1-1-69; renum. from WCD 20.10 to be NR 20.10, Register, November, 1970, No. 179, eff. 1-1-71; am (4) (a) 2., Register, December, 1977, No. 264, eff. 1-1-78; am (4) (a) 1. and 2., Register, December, 1978, No. 276, eff. 1-1-79; am (4) (a) 1. and 2., Register, October, 1979, No. 286, eff. 11-1-79; am (4) (a) (intro.), Register, December, 1981, No. 312, eff. 1-1-82; r. and recr. (4) (b), Register, August, 1982, No. 320, eff. 9-1-82; am (4) (a) 3., Register, December, 1982, No. 324, eff. 1-1-83; am (4) (a) 1., Register, April, 1987, No. 376, eff. 5-1-87; am (4) (a) (intro.), cr. (5), Register, June, 1987, No. 378, eff. 7-1-87; am (1) (intro.), cr. (1) (b), Register, December, 1989, No. 408, eff. 1-1-90; am (1) (b) (intro.), Register, November, 1993, No. 455, eff. 1-1-94; am (1) (b), Register, December, 1994, No. 468, eff. 1-1-95; r. and recr. (1) (b), Register, October, 1997, No. 502, eff. 4-1-98.

NR 20.11 Whitefish and cisco in inland waters.

(1) The rules and regulations set forth in this section shall apply to the use of all nets and seines used for taking whitefish and cisco.

(2) Cisco dip nets shall not exceed 8 feet in diameter or 8 feet square and such seines shall not exceed 75 feet in length or 6 feet in depth and with a mesh not greater than 2 inches stretch measure.

(3) (a) The open season for fishing whitefish and cisco with such dip nets and seines in all inland waters except Lake Lucerne in Forest county shall be from the Saturday nearest October 10 to February 1.

(b) Dip nets only may be used for the taking of whitefish and cisco from Keyes lake in Florence county with a daily bag limit of 3 fish from the Saturday nearest October 10 to January 15.

(4) No person shall have in possession or under control at any time more than 25 pounds and one fish in aggregate of whitefish or cisco taken from inland waters.

History: 1-2-56; am. (4), Register, December, 1956, No. 12, eff. 1-1-57; am. (3), Register, December, 1957, No. 24, eff. 1-1-58; am. (1), Register, October, 1958, No. 34, eff. 1-1-59; am. (3) Register, December, 1961, No. 72, eff. 1-1-62; renum. (3) to be (3) (a); cr. (3) (b), Register, December, 1963, No. 96, eff. 1-1-64; renum. from WCD 20.11 to be NR 20.11, Register, November, 1970, No. 179, eff. 1-1-71; am. (3) (a), Register, December, 1982, No. 324, eff. 1-1-83.

NR 20.12 Setlines and set or bank poles in inland waters.

(1) **LICENSE REQUIRED.** No person may use, set, lift, attend or have in possession while on the inland waters any set or bank pole or setline unless its use complies with this section and is authorized by a set or bank pole license issued under s. 29.531 (1), Stats., or by a setline license issued under s. 29.533 (1), Stats.

(2) **GENERAL REQUIREMENTS.** (a) A set or bank pole license authorizes the use of a maximum of 5 set or bank poles and a setline license authorizes the use of one setline except as provided in ss. NR 21.12 (1) (a) and 22.12 (1).

(b) No person may use, set, lift, attend or have in possession while on the inland waters any set or bank pole or any setline licensed to another person.

(c) No person may possess sport angling equipment while setting, lifting or attending a set or bank pole or setline.

(3) **SETLINE FLAG.** Setline flags and buoys shall meet the requirements of this subsection.

(a) Any person using a setline shall place and maintain at one end of the setline a white flag 10 inches square or larger held by a staff or pole 3 feet or more above the surface of the water or bank, but the flag may not be placed in the main channel of any navigable waterway.

(b) The flag shall be numbered with figures which are at least 3 inches high and which correspond to the number of the license authorizing the setline's use.

(c) The flag staff or pole may not be more than 2 1/2 inches in diameter and the portion of the staff extending above the water or bank shall be banded horizontally with alternate black and white markings of 2 inches to 6 inches wide.

(d) When a buoy is used to hold the setline's flag staff or pole the buoy shall be cylindrical in shape, have a diameter of 15 inches or less, and be banded horizontally with alternate black and white markings of 2 inches to 6 inches wide.

(4) **TAGS REQUIRED.** Each set or bank pole shall have attached securely to it and each setline shall have attached securely to its flag staff or pole a metal tag stamped with the number of the license authorizing its use.

(5) **LINES AND HOOKS.** (a) Set or bank poles and setlines may not use stainless steel hooks or be equipped with any hook smaller than 3/4 inch gap except that on the Mississippi river stainless steel hooks may be used and there is no hook size restriction.

(b) A set or bank pole may not be equipped with more than one line which may not have more than 2 hooks.

(c) A setline may not have more than 25 hooks.

(6) **BAIT.** All types of bait may be used on waters open to set or bank pole and setline fishing except for the following:

(a) Live crayfish and whole or live bait fish less than 5 inches in length may not be used on any inland waters.

(b) Whole or live bait fish may not be used on lakes Butte des Morts, Little Butte des Morts, Winnebago and Winneconne, Winnebago county, lake Poygan, Waushara and Winnebago counties and the Black river, Jackson and LaCrosse counties.

(7) **FREQUENCY OF LIFTING AND HOURS.** (a) Each set or bank pole and setline shall be lifted and the catch removed at least once each day following the day it was set unless a longer period is authorized by the department or its agents.

(b) No person may set, attend or lift a set or bank pole or setline between one-half hour after sunset and one hour before sunrise.

(8) **SIZE, BAG AND POSSESSION LIMITS.** The size, bag and possession limits established in the season tables of s. NR 20.03 (1) for catfish apply to persons who fish with a set or bank pole or a setline, except that there is no bag limit on catfish caught in lakes Winnebago, Butte des Morts, Little Butte des Morts, Winneconne, Poygan and in the Fox river downstream from lake Butte des Morts to the dam in the city of DePere, Brown county and the Wolf river from 500 feet below the dam at Shawano, Shawano county, downstream to its mouth, Winnebago county.

(9) **SALE OF FISH AND TURTLES; RELEASE OF GAME FISH.** (a) Catfish taken on a set or bank pole or a setline may be sold only if taken from the water described in sub. (8).

(b) Rough fish taken on a set or bank pole or a setline in any waters where such fishing is permitted may be sold.

(c) Turtles taken on a set or bank pole or a setline may be kept and sold.

(d) Except for catfish taken in compliance with this section, all game fish taken on any set or bank pole or setline shall immediately be returned to the water as soon as they appear in the operation.

(10) **WATERS OPEN TO SET OR BANK POLE AND SETLINE FISHING.** (a) From the Saturday nearest May 20 to September 30 of each year set or bank poles and setlines may be used in the following waters:

1. Embarrass river beginning 500 feet below the dam at Pella in Shawano county downstream to the Wolf river, Waupaca county.

2. Fox river from the Wicks landing road located in section 6, T15N, R12E, Green Lake county downstream to the Eureka dam, Winnebago county and from lake Butte des Morts in Winnebago county downstream to the dam in the city of DePere, Brown county.

3. Lakes Butte des Morts, Little Butte des Morts, Poygan, Winnebago and Wineconne, Winnebago county.

4. Shioc river, Outagamie county.

5. Waupaca river beginning 500 feet below the dam at Weyauwega, Waupaca county, downstream to the Wolf river, Waupaca county.

6. Wolf river from 500 feet below the dam at Shawano, Shawano county downstream to its mouth, Winnebago county.

(b) There is a continuous open season for set or bank pole and setline fishing in the following waters:

1. Black river from the U.S. highway 12 bridge in the city of Black River Falls, Jackson county, downstream to the Burlington Northern railroad tracks, La Crosse county.

2. Blue river from the state highway 133 bridge, Grant county, downstream to the Wisconsin river.

3. Grant river from Porters bridge on state highway 35 downstream to the Burlington Northern railroad tracks, Grant county.

4. Kickapoo river from 200 feet below the Gays Mills dam, Crawford county, downstream to the Wisconsin river.

5. Pecatonica river in Green and Lafayette counties and the Pecatonica east and west branches, Lafayette county.

6. Platte river, from the state highway 81 bridge downstream to the Burlington Northern railroad tracks, Grant county.

7. Wisconsin river from the Chicago, Milwaukee, St. Paul and Pacific railroad tracks, SW 1/4 SE 1/4, section 12, T9N, R6E, Sauk county, downstream to the Burlington Northern railroad tracks, Grant county.

(11) WATERS OPEN TO SET OR BANK POLE FISHING ONLY. (a) There is a continuous open season for set or bank pole fishing in the following waters:

1. Buffalo river from the state highway 37 bridge downstream to the Burlington Northern railroad tracks, Buffalo county.

2. Chippewa river from the dam in Eau Claire, Eau Claire county, downstream to the Burlington Northern railroad tracks, Pepin county.

History: 1-2-56; am. (3), (5), (6), (7); cr. (8), Register, December, 1956, No. 12, eff. 1-1-57; am. (4), (6) and (7), Register, December, 1957, No. 24, eff. 1-1-58; r. and recr. Register, October, 1958, No. 34, eff. 1-1-59; am. (2) Register, December, 1959, No. 48, eff. 1-1-60; am. (4) Register, December, 1960, No. 60, eff. 1-1-61; r. and recr. (4), am. (8), (9), and (10), Register, December, 1961, No. 72, eff. 1-1-62; am. (10), Register, December, 1962, No. 84, eff. 1-1-63; am. (10), Register, November, 1965, No. 119, eff. 1-1-66; am. (4) and (10), Register, December, 1966, No. 132, eff. 1-1-67; am. (10), Register, December, 1967, No. 144, eff. 1-1-68; am. (10), Register, December, 1968, No. 156, eff. 1-1-69; renum. WCD 20.12 to be NR 20.12 and am. (8) and (9), Register, November, 1970, No. 179, eff. 1-1-71; cr. (6m), am. (8) and (10) and r. (11), Register, August, 1971, No. 188, eff. 1-1-72; am. (9), Register, October, 1973, No. 214, eff. 1-1-74; am. (8), Register, January, 1975, No. 229, eff. 2-1-75; am. (1), (5) and (8), Register, December, 1976, No. 252, eff. 1-1-77; am. (9), Register, December, 1984, No. 348, eff. 1-1-85; r. and recr. Register, March, 1986, No. 363, eff. 4-1-86; am. (5) (a), Register, November, 1986, No. 371, eff. 12-1-86; am. (6) (b), Register, July, 1988, No. 391, eff. 8-1-88.

NR 20.13 Fish shanties, shelters, ice fishing hours and ice fishing in all state waters. The following rules and regulations are hereby established for the use of buildings, tents, fish shanties and similar enclosures and shelters maintained, occupied or used for fishing purposes on the ice of all waters of this state pursuant to s. 29.404, Stats.:

(1) PROHIBITED SHELTER. Except as provided in sub. (2) no person shall construct, use, maintain or occupy for fishing purposes any building, tent, fish shanty or similar enclosure or shelter whatsoever upon the ice of any waters of this state.

(2) FISH SHANTIES. (a) Buildings, tents, fish shanties, portable shelters or similar enclosures or shelters may be used on the ice for fishing purposes. The door of any enclosure or shelter shall 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. Except as required under par. (c), all enclosures or shelters shall be removed from the ice on or before March 5 south of highway #64, excluding Green Bay waters, and March 15 north of highway #64 on all waters including other outlying waters. For any water, the department or its agents may direct that enclosures or shelters be removed by an earlier date if it has reason to believe that the ice has become unsafe for travel.

(b) Portable shelters may be used after the above dates by fishermen when they are actively engaged in fishing. Such shelters shall be removed daily and when not in use.

(c) No person may place or use a building, tent, fish shanty, portable shelter or similar enclosure or shelter for fishing purposes on the ice of the Fox river from the DePere dam downstream to the mouth of the river, except when the person is actively using the enclosure or shelter, and all enclosures or shelters shall be removed from the ice daily and when not in use.

(3) SIZE OF HOLES FOR ICE FISHING. (a) No person may cut, use or maintain a hole larger than 12 inches in diameter or square for the taking of fish in any manner through the ice, except for the following purposes:

1. The spearing of sturgeon on waters specified in s. NR 20.03 (1) (q) 2.
2. The spearing of fish in Lake Superior.
3. The taking of fish with dip nets.
4. The taking of minnows with minnow traps.
5. Skin or scuba diving.

(b) Holes cut, used or maintained pursuant to par. (a) on waters specified in s. NR 20.03 (1) (q) 2. may not be covered by a shelter,

shanty or similar device, except during the period from 48 hours before and continuing through the open season for sturgeon spearing.

(4) NAME OF OWNER. All buildings, tents, fish shanties and similar enclosures or shelters maintained, occupied or used for fishing purposes on the ice of any inland waters and outlying waters where so authorized by the department of natural resources or by statute shall have in the English language the name and residential address of the person owning or using the same painted or permanently affixed on the outside thereof with lettering a minimum of one inch square.

(5) ICE FISHING IN OUTLYING WATERS. The same seasons, bag limits, and size limits are established for fishing through the ice in the outlying waters of this state as are established under the general fishing seasons for outlying waters.

(6) PROHIBITED METHODS WITHIN FISH SHANTIES. During the open season for spearing sturgeon under s. NR 20.03 (1) (q) 2. a. and b., no person may fish with or possess a fishing pole, hook and line or other similar devices that might be used for the purpose of catching fish within any building, tent, shanty or similar enclosure containing an ice hole larger than 12 inches in diameter or square.

History: 1-2-56; cr. (4m), Register, December, 1956, No. 12, eff. 1-1-57; am. (3) and r. (4m), Register, December, 1957, No. 24, eff. 1-1-58; am. (2) (a) and (3) (a) and (b), Register, October, 1958, No. 34, eff. 1-1-59; am. (3) (a) and (b), Register, December, 1960, No. 60, eff. 1-1-61; am. intro. par., (1) and (2) (a); r. (2) (b); am. (4), Register, December, 1961, No. 72, eff. 1-1-62; am. intro. par., (1) and (2), Register, December, 1963, No. 96, eff. 1-1-64; r. and recr. (3) (a), Register, November, 1965, No. 119, eff. 1-1-66; am. (3) (a), Register, December, 1966, No. 132, eff. 1-1-67; cr. (2) (b), Register, December, 1967, No. 144, eff. 1-1-68; am. (3) (a), Register, October, 1969, No. 166, eff. 1-1-70; renum. WCD 20.13 to be NR 20.13, Register, November, 1970, No. 179, eff. 1-1-71; am. (4), Register, October, 1973, No. 214, eff. 1-1-74; am. (3) (a), Register, January, 1975, No. 229, eff. 2-1-75; am. (3) (a), Register, December, 1976, No. 252, eff. 1-1-77; am. (2) (a), Register, December, 1982, No. 324, eff. 1-1-83; cr. (6), Register, November, 1993, No. 455, eff. 1-1-94; am. (6), Register, December, 1994, No. 468, eff. 1-1-95; correction in (1) made under s. 13.93 (2m) (b) 4., Stats., Register, November, 1995, No. 479; am. (3) (a), r. and recr. (3) (b), Register, December, 1996, No. 492, eff. 2-1-97; am. (2) (a) and cr. (2) (c), Register, June, 1998, No. 510, eff. 7-1-98.

NR 20.14 Department permitted to take fish. No provision in this chapter shall prohibit the department of natural resources, its agents, wardens or representatives of the fish management bureau of such department from taking any of the fish mentioned at any time wherein they deem it advisable and necessary to promote the general conservation progress.

History: 1-2-56; renum. WCD 20.14 to be NR 20.14, and am. Register, November, 1970, No. 179, eff. 1-1-71.

NR 20.15 Control of detrimental fish. (1) The department finds that bullheads are detrimental fish in the following counties or specified county waters.

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

(b) Adams and Juneau — Castle Rock flowage and the Wisconsin river beginning at the Petenwell dam and extending downstream to the Castle Rock dam except for that part of the Yellow river in Castle Rock flowage locally called the Buckhorn area, upstream from the electric power transmission line across the flowage in sections 26 and 35, T17N, R4E, Juneau county.

(c) Dodge — Beaver Dam lake and the Rock river from hwy. 49 downstream to the dam in Hustisford.

(d) Florence — Bass, Frog, Halsey, Long (Forest county), Scout and West Bass lakes; Line and Pine river flowages.

(e) Forest — Little Rice lake.

(f) Marinette — Town Corner lake.

(g) Sheboygan — Sheboygan marsh.

(h) Winnebago — Little Lake Butte des Morts from the lower dam on the Fox river at Menasha to the upper dam in Appleton, Outagamie county.

(i) Wood — Petenwell flowage and the Wisconsin river beginning at the Nekoosa dam in Wood county extending downstream to the Petenwell dam in Adams and Juneau counties.

(j) All of Lake Michigan and Green Bay waters in Marinette, Oconto, Brown, Door, Kewaunee, Manitowoc, Sheboygan, Ozaukee, Milwaukee, Racine and Kenosha counties.

(2) The department of natural resources finds, pursuant to s. 29.424, Stats., that perch are detrimental fish in the following specified waters:

(a) Landing lake, Mill lake, North Twin lake, Rice lake (Sec. 14, T40-41N, R9E), South Twin lake, High lake and Fishtap lake in Vilas county.

(3) The department of natural resources finds, pursuant to s. 29.424, Stats., that catfish are detrimental fish in the following specified waters and that the department may remove catfish from the waters specified or cause them to be removed therefrom pursuant to ss. 29.421 and 29.417, Stats.

(a) Green lake in Green Lake county.

(b) Lake Michigan and Green Bay

(4) The department of natural resources finds, pursuant to s. 29.424, Stats., that panfish are detrimental fish in the following specified waters and that the department may remove panfish from the waters specified or cause them to be removed therefrom pursuant to ss. 29.421 and 29.417, Stats.

(a) Township of Chicog in Washburn county.

(b) Crescent lake (section 8-16-17-18-20-21, T36N, R8E) and Stella lake in Oneida county.

(5) The department of natural resources finds pursuant to s. 29.424, Stats., that smelt are detrimental fish in all waters of the state and that the department may remove smelt from these waters or cause them to be removed pursuant to ss. 29.421 and 29.417, Stats.

(6) The department of natural resources finds pursuant to s. 29.424, Stats., that channel catfish are detrimental fish in lakes Winnebago, Butte des Morts, Little Butte des Morts, Winneconne, and Poygan and the river connecting said lakes, and the Fox river from the Princeton locks downstream to the dam in the city of De Pere and that the department may remove channel catfish from these waters or cause them to be removed pursuant to ss. 29.421 and 29.417, Stats.

(7) The department of natural resources finds that all fish species, strains or hybrids that are not indigenous to the waters of the state are detrimental fish in all waters of the state except where their presence is specifically permitted under s. 29.745, Stats. The department may remove them or cause them to be removed pursuant to s. 29.424, Stats.

(8) The department of natural resources finds pursuant to s. 29.424, Stats., that white bass are detrimental fish in all of Lake Michigan and Green Bay waters and that the department may remove white bass or cause them to be removed pursuant to ss. 29.421 and 29.417, Stats.

History: Cr. Register, September, 1958, No. 33, eff. 10-1-58; cr. (1) (b) and (2), Register, March, 1959, No. 39, eff. 4-1-59; cr. (1) (j), Register, July, 1959, No. 43, eff. 8-1-59; am. (2), Register, October, 1959, No. 46, eff. 11-1-59; cr. (3), Register, December, 1959, No. 48, eff. 1-1-60; am. (1) (i); cr. (k), (m) and (n) and (4), Register, December, 1960, No. 60, eff. 1-1-61; cr. (1) (o), (p), and (4) (b), Register, December, 1961, No. 72, eff. 1-1-62; am. (1) (f), (h), (n), (2) (a) and (4) (b), Register, December, 1962, No. 84, eff. 1-1-63; cr. (1) (q), Register, December, 1963, No. 96, eff. 1-1-64; cr. (5), Register, June, 1970, No. 174, eff. 7-1-70; renum. WCD 20.15 to be NR 20.15; am. (1) intro par., (2) intro par., (3) intro par., and (4) intro par., Register, November, 1970, No. 179, eff. 1-1-71; cr. (6), Register, August, 1971, No. 188, eff. 1-1-72; cr. (1) (j), Register, December, 1976, No. 252, eff. 1-1-77; am. (1) (b) and (c), Register, December, 1979, No. 288, eff. 1-1-80; cr. (1) (r), Register, December, 1982, No. 324, eff. 1-1-83; r. and recr. (1), Register, December, 1984, No. 348, eff. 1-1-85; cr. (1) (j), (3) (b), (7) and (8), Register, June, 1989, No. 402, eff. 7-1-89; am. (1) (a), Register, March, 1992, No. 435, eff. 4-1-92.

NR 20.16 Monthly sport trolling fishing reports.

(1) A monthly sport trolling fishing report form required by s. 29.514 (2), Stats., shall be completed by the sport trolling licensee guiding persons in sport trolling. Copies of the report form shall be provided by the department. The licensee's name, license number, date, locations fished, number of anglers, number of lines fished, hours fished, total number of fish caught and other information

required by the report form shall be accurately and legibly recorded on the form in the English language within 1/2 hour after completing each trip's fishing activities after returning to the dock or shore. The number of fish of each species caught and the tag numbers, if any, may be recorded on the form after returning to the dock or shore but shall be recorded on the form prior to midnight of the day of each trip. The report form shall be exhibited to a conservation warden upon request.

(2) The entire monthly sport trolling fishing report form provided by the department, including any voided and unused pages, shall be signed and dated by the sport trolling licensee and submitted to the department on or before the 10th day of each month for the preceding calendar month.

History: Cr. Register, July, 1992, No. 439, eff. 8-1-92.

NR 20.17 Report of licensed guides. All Wisconsin guides licensed under the provisions of s. 29.512, Stats., and operating in the Wisconsin waters of Lake Superior, Lake Michigan and Green Bay shall report to the department on blanks to be furnished by the department detailed information regarding their fishing activities which shall include the quantity, the varieties of fish taken, and any other information pertaining to their fishing activities required by the department.

History: Cr. Register, May, 1973, No. 209, eff. 6-1-73; am., Register, June, 1974, No. 222, eff. 7-1-74.

NR 20.18 Sturgeon spearing. (1) **POSSESSION OF EQUIPMENT.** No person may have in possession or under control any spear or similar device in any building, tent, shanty or similar enclosure on the ice or waters of Lakes Buttes des Morts, Winneconne and Poygan, except during the specified spearing season, or on the ice or waters and tributaries of the Wolf river from the lower dam at Shawano downstream to Poygan, the Embarrass river from Pella dam downstream to the Wolf river, in the Schioc river from the Outagamie-Shawano county line downstream to its confluence with the Wolf river, the Little Wolf river from Manawa Dam downstream to the Wolf river, the Fox river from milepost No. 63, commonly known as Johnson creek, in Green Lake county to the Princeton dam downstream to Lake Butte des Morts during the open sturgeon spearing season.

(2) **STURGEON TAG.** (a) **Tags.** A sturgeon carcass tag shall be issued with each sturgeon spearing license and shall remain intact until the spearer spears a sturgeon. While sturgeon spearing, no person may possess a validated sturgeon carcass tag unless it is attached to a legally killed sturgeon.

(b) **Validation.** Any person who spears a sturgeon shall immediately validate the sturgeon carcass tag by slitting the marks designating the month, day, length of fish, time and location of kill. Failure to completely validate the sturgeon carcass tag renders the possession of the sturgeon illegal and the sturgeon carcass tag invalid.

(3) **TRANSPORTATION.** (a) No person may transport any sturgeon in or on any motor-driven vehicle from the time such sturgeon is taken to the time it is lawfully registered pursuant to sub. (4) unless the sturgeon is carried openly exposed and in such manner so that the sturgeon carcass tag attached to the sturgeon cannot be handled or manipulated by any occupant of the vehicle.

(b) Any person who spears and tags a sturgeon shall accompany the sturgeon carcass during transport until the sturgeon has been registered pursuant to sub. (4).

(c) No person may possess a sturgeon speared under s. NR 20.03 (1) (q) 2. a. outside the following area unless the sturgeon has been registered pursuant to sub. (4): from the intersection of highways 110 and 21 in Oshkosh west on highway 21 to highway 116; north on highway 116 to county highway B; west on county highway B to county highway D; west on county highway D to highway 49; north on highway 49 to county highway H; east on county highway H to highway 10; east on highway 10 to highway 110; south on highway 110 to county highway M; south on county

highway M to highway 116; east on highway 116 to highway 110; south on highway 110 to highway 21.

(d) No person may possess a sturgeon speared under s. NR 20.03 (1) (q) 2. b. outside the following area unless the sturgeon has been registered pursuant to sub. (4): from the intersection of highways 10 and 114 in Menasha, east on highway 114 to highway 55; south on highway 55 to U.S. highway 151; south on U.S. highway 151 to Scott street in Fond du Lac; west on Scott street to highway 45; north on highway 45 to Main street in Oshkosh; north on Main street to Waugoo avenue; east on Waugoo avenue to Bowen street; north on Bowen street to North Shore drive; north on North Shore drive to county highway A; north on county highway A to highway 114 in Neenah; east on highway 114 to the intersection of highways 10 and 114 in Menasha.

(4) RECORDING STURGEON. (a) *Registration.* Each person who has speared a sturgeon during the open season for spearing sturgeon shall exhibit the sturgeon, with the person's sturgeon carcass tag attached as required by s. 29.237, Stats., to a warden or other authorized department personnel at an official sturgeon registration station. Sturgeon shall be intact and registered at a station on Lake Winnebago if speared in Lake Winnebago. Sturgeon shall be intact and registered at a station on Lake Butte des Morts, Winneconne or Poygan if speared in Lake Butte des Morts, Winneconne or Poygan. Sturgeon shall be exhibited at a sturgeon registration station not later than 6:00 p.m. on the day speared. The registration tag shall remain attached and locked to the sturgeon until the carcass is prepared for final consumption.

(b) *Registration tagging.* Upon verification of license information, the station operator shall:

1. Complete and retain the registration portion of the sturgeon's license.

2. Lock a registration tag to the carcass immediately in front of the tail.

3. Remove the validation portion of the sturgeon carcass tag leaving the remainder of the sturgeon carcass tag attached to the sturgeon.

History: Cr. (1), (2) and (4), (3) renum. from NR 20.03 (2) (c) and am., Register, January, 1993, No. 445, eff. 2-1-93; am. (3) and (4) (a), Register, December, 1996, No. 492, eff. 2-1-97.

NR 20.19 Sturgeon – hook and line. (1) Any person who has taken a lake sturgeon by hook and line shall immediately attach a hook and line lake sturgeon tag, furnished by the department and by 6:00 p.m. of the next day after the fish was taken, register the tagged lake sturgeon at a department lake sturgeon registration station. A registration tag attached to the fish by the department shall remain attached until the carcass is prepared for final consumption. This hook and line lake sturgeon tag shall be retained by the person taking the lake sturgeon until the fish is consumed.

(2) Sturgeon tags shall be available in each year prior to the open season. A person may obtain no more than one tag unless fishing Michigan boundary waters in which case 2 tags may be obtained.

(3) (a) No person may transport any lake sturgeon in or on any motor-driven vehicle from the time the lake sturgeon is taken to the time it is lawfully registered pursuant to sub. (1) unless the lake sturgeon is carried openly exposed and in a manner so that the lake sturgeon tag attached to the lake sturgeon cannot be handled or manipulated by any occupant of the vehicle.

(b) No person may transport any lake sturgeon in or on any boat from the time the lake sturgeon is taken to the time it is lawfully registered pursuant to sub. (1) unless the lake sturgeon is carried openly exposed.

History: Cr. Register, May, 1994, No. 461, eff. 6-1-94.

Next page is numbered 249

NR 20.33(5) emerg. am. 2-5-99