

## Chapter WCD 22

## WISCONSIN-IOWA BOUNDARY WATERS

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(Sections 29.085 and 29.174, Wis. Stats.)

**WCD 22.01** Mississippi river boundary water defined. For the purpose of hook and line fishing in the Mississippi river interstate boundary waters to apply to residents of Wisconsin and nonresident hook and line fishermen properly licensed under sections 29.09 and 29.14, Wis. Stats., all waters from the Chicago, Burlington and Quincy railroad tracks on the east side of the Mississippi river and extending west from said railroad track to that part of the river which follows the channel markers as established by the United States war department, shall be defined as interstate boundary waters.

**WCD 22.02** Seasons; limits. (1) There shall be established on the interstate boundary waters between the states of Wisconsin and Iowa, said boundary waters being more particularly described and known as the Mississippi river, the following open and closed seasons for the taking of the various varieties and species of fish, bag limits, size limits, possession limits, types of commercial fishing gear, sizes of mesh, closed or restricted areas, and other rules and regulations as are prescribed in this chapter.

(2) A closed season is established for each variety and species of fish named herein extending during all the time of each year except the open season period embraced within the specified dates, both inclusive, and except as otherwise expressly provided, no person or persons shall take, catch, or kill fish of any variety or fish for fish at any time other than the open season therefor nor have in his possession nor under his control any fish in excess of the daily bag limit or possession limit nor below the minimum size therefor at any time during the open season as provided in this chapter. All seasons for the taking, catching, killing or fishing for fish and all other rules and regulations pertaining to fishing as designated in this chapter shall remain in force and effect until such time as they are rescinded or modified either by legislative action or by state conservation commission order.

(3) The measurement of length of fish shall be taken in a straight line from the tip of the snout to the utmost end of the tail fin.

(4) Whenever the size of mesh is mentioned, the measurement shall be made by stretch measure except in basket traps (slat nets). Such measurements shall apply to net meshes when in use and no allowance shall be made for the shrinkage due to any cause.

**WCD 22.03 Hook and line fishing.** The following seasons, bag limits, possession limits, and other rules and regulations for hook and line fishing are established.

Kind of fish	Open season	Bag limit	
		Quantity	Minimum length
(1) Large and small mouth bass ----	Saturday nearest May 1 to March 1	5	No size limit
(2) Walleye and sauger.....	Continuous	8	No size limit
(3) Northern pike.....	Continuous	5	No size limit
(4) White bass.....	Continuous	25	No size limit
(5) Crappies (calico, silver and strawberry bass).....	Continuous	25	No size limit
(6) Rock bass.....	Continuous	25	No size limit
(7) Sunfish and bluegills.....	Continuous	25	No size limit
(8) Perch.....	Continuous	25	No size limit
(9) Catfish.....	Continuous	No bag limit	No size limit
(10) Bullheads.....	Continuous	No bag limit	No size limit
(11) Hackleback (sand or shovel-nosed) sturgeon.....	Continuous	No bag limit	25 inches
(12) Rock sturgeon.....	No open season		
(13) Paddlefish (Spoonbill catfish) ...	No open season		

(14) **SALE PROHIBITED; EXCEPTIONS.** No such fish shall be sold, purchased, bartered, offered for sale or had under control or in possession for the purpose of sale or barter at any time except legally taken and possessed catfish 13 inches or over in length, hackleback sturgeon 25 inches or over and bullheads. The minimum length for bullheads offered for sale shall be 7" dressed with head off and tail on or 9" in the round.

(15) **MINIMUM LENGTH OF CATFISH OFFERED FOR SALE.** The minimum length for catfish offered for sale shall be as follows: Catfish, 13 inches in the round and 10 inches dressed with head off and tail on.

**WCD 22.04 Crayfish and crabs.** There shall be an open season for the taking of crayfish and crabs from May 1 to March 1, both dates inclusive, with no bag limit and no size limit.

**WCD 22.05 Rough fish.** Rough fish, for the purpose of these regulations, shall be defined as follows: Carp, dogfish, redbhorse, sheepshead, suckers, eel-pout, garfish, buffalo fish, quillback, mooneye, goldeye, shad, and catfish 20 inches or over in length.

**WCD 22.06 Hook and line fishing.** (1) It shall be unlawful for any person to use or operate more than 2 lines or 2 poles with one line attached to each pole, and with one bait to each line, except that fly fishermen may use 2 flies to one line, or with any fish line or lines unattended in any of the boundary waters as described in section WCD 22.02 (1). Five lines with one bait to each line may be used

for fishing through the ice. It shall be unlawful for any person to take game fish of any variety by any means other than with hook and line, except as provided in this chapter. } a

(2) It shall be lawful for any person to take, catch, kill or fish for fish by means of trolling from a motor driven boat, sail boat or other boat while such boat is in motion.

(3) All varieties of rough fish may be taken with a hook and line throughout the year with no size or bag limit. } a

(4) It shall be lawful for any person to take, catch, kill or fish for fish through the ice by means of hook and line during the time of year when there is an open season for such fish as defined under section WCD 22.03.

**WCD 22.07 Set lines (trot lines).** (1) It shall be unlawful for any person to set or operate more than 8 set lines (trot lines) with not to exceed a total of 50 hooks to each line or 400 hooks in the aggregate attached thereto, for the taking, catching, killing or fishing for catfish 13 inches or over in length, hackleback sturgeon 25 inches or over in length, bullheads, sheepshead, buffalo fish, carp, suckers, dogfish and eel only; size limits except catfish, shall conform to the provisions of section WCD 22.03; in such fishing it shall be unlawful to use any game fish, either dead or alive, as bait. } a

(2) Such set lines (trot lines) may be used all year and shall be equipped with a metal tag as prescribed in section 29.37, Wis. Stats. Licenses for such set lines (trot lines) shall be obtained pursuant to section 29.37, Wis. Stats.

(3) At one end of every licensed set line (trot line) there shall be placed and maintained a white flag, not less than 16 inches square, with the upper end of the staff extending at least 2 feet above the water and numbered with figures at least 3 inches in height corresponding with the number of the license authorizing the use of such set line. It shall be lawful to use buoys in lieu of flags, providing that same are numbered with figures at least 3 inches in height corresponding with the number of the license authorizing the use of such set lines.

**WCD 22.08 Minnow nets and traps.** (1) No person shall set, use or operate any minnow seine, minnow dip net or minnow trap other than as specified herein.

(2) The following described gear only may be used for the taking of minnows for bait:

(a) *Minnow seines.* Minnow seines shall not exceed 50 feet in length, 5 feet in depth, and shall contain mesh not to exceed one-half inch stretch measure.

(b) *Minnow dip nets.* Minnow dip nets used for taking, catching, or killing minnows shall be defined as follows: A piece of netting suspended from a square or round frame not exceeding 6 feet in diameter or 6 feet square and making a bag when lifted not more than 4 feet deep. It shall be unlawful to use dip nets in any manner other than raising and lowering vertically when fishing.

(c) *Minnow traps.* Minnow traps shall be of a length not greater than 24 inches and a diameter of not more than 16 inches with an opening in the throat of the trap not larger than one and one-half

inches in diameter. Such 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 24 hours.

(3) There shall be no bag or possession limit on minnows so taken.

*am.* { **WCD 22.09 Set or bank poles (set hooks).** (1) Set or bank poles (set hooks) may be used for the taking, catching, killing or fishing for catfish 13 inches or over, hackleback sturgeon 25 inches or over in length, bullhead, sheepshead, buffalo fish, carp, suckers, and eel only, during the period of time extending from May 1 to the next succeeding October 31; size limits, except catfish, shall conform to the provisions of section WCD 22.03. In such fishing it shall be unlawful to use any game fish, either dead or alive, as bait.

(2) Each such set or bank pole (set hook) shall be equipped with a metal tag as prescribed in section 29.36, Wis. Stats. Licenses for such set or bank poles (set hooks) shall be obtained pursuant to section 29.36, Wis. Stats.

*am.* { **WCD 22.10 Use of spears.** It shall be unlawful for any person to use a spear in any manner at any time for the purpose of taking, catching, or killing any game fish of any variety, or to have in possession or under control any fish spear in a fish house (shanty). Rough fish may be taken by means of spears in the daytime only.

*to net* { **WCD 22.11 Use of nets.** (1) It shall be lawful for any person licensed pursuant to section 29.34, Wis. Stats., to use a seine with a mesh of any size and such net may be of any dimension and to also use buffalo nets (hoop nets) with a mesh of any size, and frame nets (wing nets) with not more than one lead whose frame at the entrance is not more than four feet by eight with a mesh of any size for the purpose of taking, catching, killing, or fishing for commercial fish as specified in subsection (3) throughout the year in the waters mentioned in this chapter, and that the operation of seines shall be prohibited on Sundays and legal holidays established with federal authority except during that period from the time the ice goes out in the spring until May 1 and that it shall be unlawful to set, use or operate any frame net from May 15 to September 15, inclusive. All such nets mentioned above must be lifted at least once in every 48 hour period.

(2) It shall be lawful for any person licensed pursuant to section 29.34, Wis. Stats., to use a seine with a mesh of any size and such net may be of any dimension and to also use buffalo nets (hoop nets) with a mesh of any size, and frame nets (wing nets) with not more than one lead whose frame at the entrance is not more than 4 feet by 8 feet and with a mesh of any size and bait nets (hoop nets) to be used without leads with a mesh of any size in the pot and not more than a 4-foot hoop front for the taking, catching, and killing of catfish during the open season for these fish as is prescribed in this section. In the comprehension of this chapter for the taking of catfish in the waters of the Mississippi river, the northernmost boundary shall be from the Minnesota-Iowa state line, extended, downstream to the Wisconsin-Illinois state line, extended.

(3) A commercial fishing season with nets is hereby established for persons properly licensed pursuant to section 29.34, Wis. Stats., as follows:

Kind of commercial fish	Open season	Minimum length or weight
(a) Bullheads.....	No closed season	9 inches in the round 7 inches dressed
(b) Buffalo.....	No closed season	15 inches
(c) Carp.....	No closed season	None
(d) Catfish.....	No closed season	13 inches in the round 10 inches with head off and tail on
(e) Dogfish.....	No closed season	None
(f) Garfish.....	No closed season	None
(g) Quillback.....	No closed season	None
(h) Redhorse.....	No closed season	12 inches
(j) Hackleback (sand or shovel-nosed) sturgeon.....	No closed season	25 inches
(k) Sheepshead.....	No closed season	No size limit
(m) Suckers.....	No closed season	12 inches
(n) Mooneye, goldeye, shad.....	No closed season	None

ALL OTHERS. The taking of all other types of fish not mentioned in this section or under the minimum length or weight prescribed in this section is prohibited.

(4) Gill nets with a mesh of seven inches stretch measure may be used at all times for the taking of commercial fish only. Such measurements shall apply to net meshes when in use and no allowance shall be made for shrinkage due to any cause. All gill nets shall be lifted and emptied of fish at least once in every 48 hour period when set in open water and at least once in every 96 hour period when set under the ice, weather permitting.

(5) No net or nets may be used or operated in any waters within 900 feet below any dam on the Mississippi river.

(6) The Wisconsin conservation commission may at its discretion require supervision of commercial fishing operations and said commission may require the operators of such nets to pay for supervision individually or in groups in the manner they deem advisable, and said commission shall fix the amount to be paid each supervising warden. The state conservation commission may also allow at any time one supervising warden for as many seine, hoop net, frame net (wing net), fyke net or gill net operations as it deems advisable.

(7) The state conservation commission may also require at any time any operator of any seine, gill net, buffalo net, frame net, bait net and basket trap (slat net) to cease the fishing operations of such net or nets when said commission finds these operations are proving destructive to game fish or for any other good or valid reason.

(8) The use or operation of all other nets excepting those mentioned in this chapter is prohibited in these waters at all times.

(9) Basket traps (slat nets) not more than 6 feet in length and not more than 72 inches in circumference, overall dimensions, and with

one end thereof closed with webbing of a mesh not less than one and one-fourth inches bar or square measure may be used for the taking of rough fish and catfish 13 inches or over during that period of time extending from May 1 to the next succeeding October 31 and shall be equipped with a metal tag as prescribed in section 29.343, Wis. Stats. Such webbing shall be attached in such manner that the length, depth or width of each mesh is not decreased. Licenses for such basket traps (slat nets) shall be obtained pursuant to section 29.343, Wis. Stats. All such nets mentioned above must be lifted at least once in every 48 hour period.

(10) It shall be lawful for any person licensed pursuant to section 29.343 (3), Wis. Stats., to use a trammel net not more than 300 feet in length and with a mesh of any size for the taking of fish as set forth in section WCD 22.11 (3). Such trammel nets may be used in that part of the Mississippi river between the states of Iowa and Wisconsin under the jurisdiction of the state of Wisconsin which lies within the navigation channel as established by the United States war department in Twelve Mile (Cassville) Slough, State Line Slough and Hurricane Chute in Grant county. Such trammel nets may be used in a drifting manner only. It shall be unlawful for any person to use or operate any trammel net in any manner except as provided in this section.

(11) All commercial fishermen conducting fishing operations with gill nets or seines shall comply with the provisions of section 29.34, Wis. Stats.

(12) No net or nets of any kind shall be lifted, hauled or drawn in any manner between sunset and sunrise of the following morning, except for the purpose of completing a seine haul with the permission of the supervisor nor shall any net, except a trammel net be used in a drifting manner.

(13) All fishermen licensed under the provisions of sections 29.34, 29.37 and 29.343, Wis. Stats., shall report to the conservation commission on blanks to be furnished by the commission, detailed information regarding their activities which shall include the number of pounds and varieties of fish taken, amounts returned to the water and any other information pertaining to commercial fishing activities required by the conservation commission.

(14) No licensed commercial fisherman or any member of his crew or any person in his boat shall have in his possession any panfish or game fish or sport angling equipment while operating licensed commercial gear or while traveling to or from the operation of such gear.

**WCD 22.12 Boundary, commercial fishing.** For the purpose of clamming, set line and commercial net fishing, the Mississippi river shall be designated as that part of the river following the boundaries between the states of Iowa and Wisconsin.

**WCD 22.13 Reciprocity, hook and line fishing.** All residents of Iowa and Wisconsin holding hook and line fishing licenses from their respective states shall have the right to fish in any of the waters lying between the Chicago, Milwaukee and St. Paul railway tracks on the Iowa side of the river and the Chicago, Burlington and Quincy railway tracks lying on the Wisconsin side of the river during the open season for hook and line fishing. This reciprocity does not apply to clammers, set line or commercial net operators.