

Bay, lying south or east of a line commencing at the most northerly point of Snake island in section 30, township 28 north, range 25 east, Door county, thence northeasterly approximately one mile to a stake or buoy placed by the Wisconsin conservation department, thence easterly to the Sherwood Point light.

**History:** 1-2-56; am. (5), Register, December, 1957, No. 24, eff. 1-1-58; am. (2) and (5), Register, June, 1959, No. 42, eff. 7-1-59; am. (4) and (8), Register, December, 1961, No. 72, eff. 1-1-62.

**WCD 25.03 Closed seasons:** A closed season is established for each variety of fish and crayfish named in this chapter extending during all the time of the year except the open season period embraced within specified dates, both inclusive, and except as otherwise expressly provided no person shall take, catch or kill fish of any variety in excess of the daily bag limit and no person shall take, catch or kill fish or fish for fish by means other than as specified in this chapter, nor at any time other than the open season therefor, nor have in his possession or under his control any fish or crayfish in excess of the possession limit or below the minimum size therefor during the open season.

**History:** 1-2-56; r. and recr. Register, December, 1961, No. 72, eff. 1-1-62.

**WCD 25.04 Open seasons; size limits. (1) OPEN SEASONS.** In the outlying waters there shall be an open season on the various species of fish as follows:

Species	A Lake Michigan and Northern Green Bay	B Southern Green Bay	C Lake Superior
(a) LAKE TROUT.....	NO OPEN SEASON	NO OPEN SEASON	NO OPEN SEASON
(b) WHITEFISH.....	December 1 to October 31	December 1 to October 31	November 26 to October 24
(c) CHUBS.....	AT ALL TIMES	AT ALL TIMES	AT ALL TIMES
(d) HERRING OR BLUEFIN...	AT ALL TIMES	AT ALL TIMES	AT ALL TIMES
(e) YELLOW PERCH.....	June 11 to April 9	May 20 to April 9	June 2 to April 14
(f) SUCKERS.....	AT ALL TIMES	AT ALL TIMES	AT ALL TIMES
(g) WALLEYE AND SAUGER ..	NO OPEN SEASON IN LAKE MICHIGAN	May 20 to March 9	NO OPEN SEASON
	May 20 to March 9 in Northern Green Bay		
(h) NORTHERN PIKE.....	NO OPEN SEASON IN LAKE MICHIGAN	May 20 to March 9	NO OPEN SEASON
	May 20 to March 9 in Northern Green Bay		
(j) OTHERS (Except as listed above and otherwise specified in WCD 20.02 and WCD 25.06.....	AT ALL TIMES	AT ALL TIMES	AT ALL TIMES

(2) SIZE LIMITS. No fish of any of the following varieties taken in gear or equipment authorized by this chapter, shall be retained,

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sold, or transported of a length or size less than that specified for each variety. The following method of measuring shall apply: The measurement of the length of a fish within the meaning of this chapter shall be taken in a straight line in a natural position without manipulation from the tip of the snout to the end of the fully extended tail-fin. A "fish in the round" shall be deemed to be a fish that is entirely intact as it was taken out of the water with no part removed by dressing; a "dressed fish" shall be deemed a fish with the head and tailfin attached but the entire gut or viscera (stomach, liver, intestine, gonads) removed; and a "filleted fish" shall be deemed to be a fish with the entire head, gut or viscera, gills, bones, scales and all of the fins removed. The measurement of length and weight shall apply without any allowance made for the shrinkage of the fish.

Species	A Lake Michigan and Northern Green Bay	B Southern Green Bay	C Lake Superior
(a) LAKE TROUT.....			
(b) WHITEFISH.....	17 inches	17 inches	17 inches
(c) YELLOW PERCH.....	8 inches in the round or dressed	7½ inches in the round or dressed	8 inches in the round or dressed
	5¼ inches with head and tail off	5¼ inches with head and tail off	5¼ inches with head and tail off
	6" headless	6" headless	6" headless
(f) SUCKERS.....	No size limit	No size limit	No size limit
(g) WALLEYE AND SAUGER..	15 inches	15 inches	
(h) NORTHERN PIKE.....	20 inches	20 inches	
(k) BUFFALO.....	18 inches	18 inches	
(l) CATFISH.....	16 inches in the round	16 inches in the round	
(m) OTHERS (except smelt, menominees, herring, chubs, sheepshead, carp and alewife for which there is no size limit).....	8 inches	8 inches	8 inches

**History:** 1-2-56; am. (1) (a) and (b) and (2) (m), Register, December, 1957, No. 24, eff. 1-1-58; am. (2) (c), Register, June, 1959, No. 42, eff. 7-1-59; r. and rec. (1), am. (2) (m), Register, December, 1961, No. 72, eff. 1-1-62; am. (1) (a), (2) (a), Register, June, 1962, No. 78, eff. 7-1-62; am. (1) (b), Register, November, 1964, No. 107, eff. 12-11-64; am. (1) (a), (b), (g) and (h) and (2) (a), Register, December, 1965, No. 120, eff. 1-1-66.

**WCD 25.05 Illegal fish.** All illegal fish which are taken and cannot be returned alive or unharmed to the water shall be turned over to the state conservation commission or its duly authorized agents. No person shall at any time throw into the outlying waters any dead fish or part thereof, but each fisherman shall bring to shore at his base of operations all such dead fish and parts thereof.

**WCD 25.06 Protected fish.** All black bass, rock bass, crappie, muskellunge, sturgeon, rainbow or steelhead trout, brook trout, brown trout and all illegal lake trout and whitefish, and all other illegal fish

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caught or taken alive in any licensed fishing gear shall be immediately and carefully returned to the water alive. When found dead in such gear they shall be turned over to the conservation commission or its authorized agents.

**WCD 25.07 Crayfish.** (1) (a) There shall be an open season on crayfish or crabs in all of the outlying waters from June 16 to the last day of February of the next year and except during this season it shall be unlawful for any person to take, capture or kill, or have in possession or under control any crayfish or crab taken from outlying waters.

(b) During the open season crayfish or crabs may be taken in all outlying waters by the following means only: By hand, by use of minnow seines and minnow dip nets, and by crayfish or crab traps with the entrance to the trap not to exceed  $1\frac{1}{2}$  inches in diameter, except that it shall be unlawful to use any crayfish or crab trap in the waters of Sturgeon Bay in Door county.

**History:** 1-2-56; am. (1) (a), Register, December, 1961, No. 72, eff. 1-1-62.

**WCD 25.08 Nets: Permitted nets; size of mesh, prohibited nets.** (1) **GILL NETS.** (a) Gill nets not more than 30 meshes deep and with a mesh of not less than  $4\frac{1}{2}$  inches may be used for the taking of all species of fish during the open season therefor in the waters of Lake Michigan and northern Green Bay.

(b) Gill nets with a mesh of not less than  $2\frac{1}{2}$  inches nor more than  $2\frac{3}{4}$  inches, and not to exceed 35 meshes deep, may be used for the taking of herring, chubs, perch, menominees and smelt in the waters of Lake Michigan and northern Green Bay, except that smelt may be taken as specified under section WCD 25.08 (1) (p) and herring under the ice as set forth in WCD 25.08 (1) (d). The setting or placing of such nets in water less than 15 fathoms is prohibited for a period of 5 days just prior to the opening of the perch season.

(c) During the period from October 15 to December 10, in each year, no set hooks or gill nets other than gill nets with a mesh of not less than  $2\frac{1}{2}$  inches or not more than  $2\frac{3}{4}$  inches, shall be set, placed or operated in the waters of Lake Michigan or northern Green Bay except under permit from the Wisconsin conservation commission or its duly authorized agents.

(d) In the waters of southern Green Bay and northern Green Bay, gill nets, not more than 60 meshes deep and with a mesh of not less than  $2\frac{1}{4}$  nor more than  $2\frac{3}{4}$  inches flexible rule measure may be used at all times for the purpose of taking herring only, provided that the bottom maitre or lead lines will be at least 1 fathom (6 ft.) from the bottom. During the period from September 1 to January 20 each year, such nets may be set on the bottom.

(e) In the waters of southern Green Bay, gill nets not more than 30 meshes deep and with a mesh of not less than 4 inches may be used for the taking of all species of fish during the open season therefor in those waters south or west of a line drawn from the outer end of the south pier at the entrance of the Menominee river at Marinette to Limekiln Bluff in Door county; north or east of said line, gill nets so used shall be not less than  $4\frac{1}{2}$  inch mesh and not more than 30 meshes deep.

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(f) In the waters of southern Green Bay, the size of mesh of all new gill nets and new gill netting used for the purpose of taking herring, chubs, perch, menominees, and smelt shall be not less than  $2\frac{1}{2}$  inches and not more than  $2\frac{3}{4}$  inches. In actual fishing operations, gill nets having a mesh of not less than  $2\frac{3}{8}$  inches and not more than  $2\frac{1}{4}$  inches, and not to exceed 60 meshes deep, may be used or possessed for the purpose of taking herring, chubs, perch, menominees, and smelt from the waters of southern Green Bay, except that smelt may be taken as specified under section WCD 25.08 (1) (p) and herring under the ice as set forth in section WCD 25.08 (1) (d).

(g) In the waters of southern Green Bay during the period from April 10 to May 19, no set hooks or gill nets of any kind may be used, set, placed or operated except as provided in section WCD 25.08 (d) for the taking of herring and section WCD 25.08 (p) for the taking of smelt except that in the waters north or east of a line drawn from the outer end of the south pier at the entrance of the Menominee River at Marinette to Limekiln Bluff in Door County, gill nets not more than 30 meshes deep and with a mesh of not less than  $4\frac{1}{2}$  inches may be used for the purpose of taking fish for which there is an open season thereon.

(h) In the waters of Lake Superior, gill nets with a mesh of not less than  $4\frac{1}{2}$  inches may be used for the taking of all species of fish during the open season therefor. The depth or width of such nets shall be not more than 30 meshes.

(j) In the waters of Lake Superior, gill nets with a mesh of not less than  $2\frac{3}{8}$  inches and not more than  $2\frac{3}{4}$  inches may be used for the taking of herring, menominees, smelt, perch, or longjaws; except that gill nets with a mesh of any size may be used for the taking of longjaws, herring, smelt and menominees from November 1 to December 31. The depth or width of such nets shall be not more than 35 meshes, except as provided for herring float nets.

(k) In the waters of Lake Superior, during that period each year extending from the time the ice goes out until July 14, gill nets with a mesh of not less than  $2\frac{3}{8}$  inches nor more than  $2\frac{3}{4}$  inches and not more than 35 meshes deep may be used, set, placed or operated only in waters of a depth not less than 40 fathoms for the purpose of taking longjaws and herring.

(m) In the waters of Lake Superior, no person shall use, set, place, or operate any gill net or gill nets with a mesh of less than  $4\frac{1}{2}$  inches, from July 15 to September 1 of each year, except that bait nets may be used to obtain bait for set hooks and float nets as provided in section WCD 25.08 (1) (n).

(n) In the waters of Lake Superior, gill nets with meshes of any size and not more than 60 meshes deep may be used for the taking of herring only, provided, however, that the bottom maitre cord or lead line shall be not nearer than one fathom to the bottom of the lake. Such nets shall be known as herring float nets and may be used at any time of the year.

(o) During that period extending from January 15 to March 1 of each year, the operation of gill nets and set hooks with or from a boat is prohibited in the waters of Lake Superior.

(p) In the waters of Lake Superior, Lake Michigan, northern Green Bay and southern Green Bay, with the exception of bounded bays and reserve waters, gill nets with a mesh of not more than  $1\frac{3}{4}$

inches flexible rule measures may be used at all times for the taking of smelt.

(q) No person shall during any one year be licensed to use in the aggregate more than 150,000 feet of gill nets, and in addition thereto not more than 3 gangs of hooks with not more than 3,000 hooks to each gang.

(2) BAIT NETS. Each set hook licensee may use or operate in the waters of Lake Michigan, northern Green Bay, and Lake Superior not more than 5,000 feet of gill net with a mesh of not less than 1½ inches nor more than 1½ inches and not to exceed 11 feet deep, except in reserve waters, for the purpose of taking bloaters for bait to be used on set hooks only. Any fish taken in such nets shall not be sold, traded, or bartered in any manner.

(3) POUND NETS. (a) Pound nets may be used in the waters of Lake Michigan, northern Green Bay, southern Green Bay and Lake Superior for the taking of all species of fish during the open seasons therefor, except during the period from April 10 to May 19 no pound net exceeding 15 feet in depth may be used in the waters of southern Green Bay.

(b) No pound net may be used, set, placed or operated in more than 80 feet of water.

(c) During the closed season for whitefish no pound nets of any kind shall be used, set, placed, or operated in the waters of Lake Superior.

(4) DROP AND FYKE NETS. (a) Drop and fyke nets may be used in the waters of Lake Michigan and northern Green Bay and southern Green Bay for the taking of all species of fish during the open season therefor, except that no drop or fyke nets may be set, placed or operated in the waters of southern Green Bay during the period from April 10 to May 19 of each year.

(b) Drop and fyke nets may be set under the ice in water not more than 50 feet in depth. The lifting of such nets shall be done in fishing shanties only. All live illegal fish shall be returned to the water immediately and must be lowered to a point at or near the bottom of the bay by the use of sink nets or frames.

(c) It shall be unlawful for any person to use, set, place or operate any fyke or drop net of any description, except the legal submarine trap net, in any of the waters of Door county.

(d) It shall be unlawful to use, set, place or operate any fyke or drop net, or any submarine trap net in the waters of Lake Superior.

(5) SUBMARINE TRAP NETS. (a) Submarine trap nets may be used in the waters of Lake Michigan, northern Green Bay and southern Green Bay for the taking of all species of fish during the open season therefor except that the use of submarine trap nets in Door county waters is prohibited unless a permit has first been obtained from the conservation commission or its agents.

(b) Submarine trap nets may be used, set, placed or operated in not more than 50 feet of water.

(c) Submarine trap nets shall not be used, set, placed or operated in Lake Superior.

(d) Submarine trap nets shall be not more than 30 feet in depth and the pot shall be square or rectangular. This includes any portion of the leads, hearts and crib.

(e) Submarine trap nets shall not be set, placed or operated in the waters of southern Green Bay during the period from April 10 to May 19 of each year.

(6) SEINES. (a) It shall be unlawful to use any seine with a mesh of less than 3 inches except as otherwise expressly provided.

(b) Seines of any size mesh not more than 75 feet in length and not more than 6 feet in depth, and one dip net not exceeding 8 feet in diameter or 8-foot square, may be used for the taking of smelt and suckers only in any of the outlying waters, including reserve waters, and in the Fox river up to 1,500 feet below the dam at De Pere, from April 1 to May 25, except that such a dip net may be used for the taking of smelt only in the waters of the Fox river up to 500 feet below the dam in the city of De Pere from April 1 to June 1. It shall be unlawful to use any seine in the waters of southern Green Bay during the period from April 10 to May 19 of each year except as expressly provided. Dip nets must be attended at all times while in use.

(c) Minnow seines not exceeding 75 feet in length and 6 feet in width flat measure and one minnow dip net not exceeding 6 feet in diameter or 6 feet square may be used in any of the outlying waters, including reserve waters, and in that part of the Fox river extending from the mouth up to, but not within 1,500 feet of the dam at DePere, for taking, catching or killing minnows for bait only. Dip nets must be attended at all times while in use.

(7) TRAWLS. (a) Trawls may be used in the waters of Lake Michigan, northern and southern Green Bay for the taking of all species of fish for which there is no minimum size limit thereon. No trawl may be operated unless a permit has first been obtained from the conservation commission or its agents. The permit specifies the conditions under which it may be operated.

(8) CONTRABAND NETS. (a) All nets or set hooks used in violation of this chapter are contraband and shall be seized and held subject to the order of the court whenever found in any prohibited waters or on any vessel, dock, reel, or fishing premises, or in any port or landing places bordering on such waters. Any such contraband net or nets, set hook or hooks so found shall be deemed sufficient evidence of the use of such net or nets, set hook, or hooks by the owner, owners, or operators thereof, who shall be subject to the same penalties as provided for other offenses mentioned in this chapter.

(b) Whenever any gill net set in the waters of Lake Michigan, northern Green Bay, and southern Green Bay for the purpose of catching herring, chubs, perch, menominees and smelt, and any gill net set in the waters of Lake Superior shall take illegal fish of any species, in an amount equal to more than 10% by weight of the total catch or lift, they shall be deemed illegally set and shall be seized and held for the order of the court by the state conservation commission or its deputies, and the owners or operators thereof shall be subject to the penalties in section 29.63 (1) (h), Wis. Stats., unless such nets are immediately removed from such fishing grounds.

**History:** 1-2-56; am. (1) (c), (d), (g), (p); (3) (a); (4) (a); (6) (b) and (d); cr. (5) (e), Register, December, 1957, No. 24, eff. 1-1-58; r. (6) (d), Register, October, 1958, No. 34, eff. 1-1-59; am. (1) (b) and (6) (b) and (c); renum. (7) (a) and (b) to be (8) (a) and (b); cr. (7) (a), Register, December, 1961, No. 72, eff. 1-1-62; am. (3) (c) and (8) (b), Register, June, 1962, No. 78, eff. 7-1-62; am. (1) (c), Register, November, 1964, No. 107, eff. 12-11-64; am. (6) (c), Register, November, 1965, No. 119, eff. 1-1-66.

Register, November, 1965, No. 119