

(16) The department by its agents, employes or wardens may in the absence of the licensee, at any time, raise any commercial fishing gear. Care will be taken to minimize damage to such gear.

(17) The use or operation of all commercial gear except those authorized in this chapter is prohibited in the Wisconsin-Iowa boundary waters with the exception of such nets operated under contract with the department.

(18) Except where otherwise expressly provided, turtles and tortoises taken incidental to licensed commercial fishing operations may be possessed and sold.

**History:** Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**NR 22.12 Commercial fishing gear.** Only commercial fishing gear as described and operated in the manner prescribed below may be used by commercial fishers in the Wisconsin-Iowa boundary waters.

Type of gear	Period of year may be used dates inclusive	Specifications	Restrictions
(1) Setline	All year	Each licensee is limited to 8 setlines with not to exceed a total of 50 hooks on each line or 4 setlines with not to exceed 100 hooks on each line, either not to exceed a total of 400 hooks in the aggregate.	<p>Frogs or game fish, or any part of, whether dead or alive, may not be used as bait in the Mississippi river.</p> <p>Lines shall be equipped with a metal tag stamped to designate the number of the license covering it attached to a buoy or stake at one end of the setline so it will be visible above the surface of the water.</p> <p>At one end of every licensed setline there shall be placed and maintained a white flag, not less than 16 inches square, with the upper end of the shaft 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 setline. 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 setlines.</p> <p>Lines must be lifted and fish removed at least once each day following the day set unless a longer period is granted by the department or its agents.</p> <p>Additional restrictions are contained in s. NR 22.11.</p>
(2) Set or bank poles	All year	Not to exceed 5 set or bank poles.	<p>Frogs or game fish, or any part of, whether dead or alive, may not be used as bait in the Mississippi river.</p> <p>Each set or bank pole shall have securely attached a metal tag stamped with the number of the license covering the pole.</p> <p>Additional restrictions are contained in s. NR</p>

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(3) Seine	All year	No size restriction	22.02 (2). Licensees may not take more than 100 lbs. plus one fish of catfish per day, 15 inches or over in length from the Saturday nearest October 1 to April 30.  Additional restrictions are contained in s. NR 22.11.
(4) Gill nets	All year	Only gill nets with a mesh of 7 inches stretch or larger used.	Gill nets may not be used as a drag seine or drift net at any time.  All gill nets shall be lifted and emptied of fish at least once each day between May 1 and September 1, at least once each 2-day period when set during the remaining open water period and at least once each 4 days when set under ice, unless a longer period is granted by the department or its agents.  Additional restrictions are contained in s. NR 22.11.
(5) Buffalo net	All year	No size restriction.	Shall be raised and emptied except for bait once each 4-day period unless a longer period is granted by the department or its agents.  Additional restrictions are contained in s. NR 22.11.
(6) Bait net	All year	Any size mesh not over 4 foot hoop front.  Lead or leads not allowed.	Shall be raised and emptied except for bait once each 4-day period unless a longer period is granted by the department or its agents.  Additional restrictions are contained in s. NR 22.11.
(7) Frame net	Sept. 15 thru May 15	Any size mesh not to exceed 4 x 8 foot front with a single lead.	Shall be raised and emptied once each 2-day period unless a longer period is authorized by the department or its agents.  Additional restrictions are contained in s. NR 22.11.
(8) Basket traps (Slat nets)	Saturday nearest May 1 thru Oct. 31	Not more than 6 feet in length and not more than 72 inches in circumference, over-all dimensions and with one end closed with webbing	Each net shall have attached a metal tag stamped to designate the kind of net and the number of the license.

		of a mesh not less than one and one-fourth inches bar or square measure. Such webbing shall be attached in such a manner that the length, depth or width of each mesh is not decreased	Restricted to the use of 50 nets per licensee.  All traps shall be lifted at least once every 2-day period, unless a longer period is granted by the department or its agents.  Nets may not be set within 100 feet of any muskrat or beaver house.  Any slat net found in the waters during the closed season and any slat net found on the Wisconsin banks or shores without a tag showing evidence of being used in the last 5 months shall be seized and held subject to the order of the court or judge under ss. 29.05 and 29.343, Stats.  Additional restrictions are contained in s. NR 22.11.
(9) Trammel net (Drift)	All year	Not more than 300 feet in length. No mesh size restriction.	May be used in a drifting manner only.  Additional restrictions are contained in s. NR 22.11.
(10) Trammel net (Drive set)	All year	Not more than 300 feet in length with a mesh of 7 inches stretch or larger.	Licensed commercial fisher or crew shall be in attendance when net is fished.  The harvest of catfish with a dead set trammel net is illegal.  Additional restrictions are contained in s. NR 22.11.

**History:** Cr. Register, March, 1982, No. 315, eff. 4-1-82.

#### SUBCHAPTER 4 TURTLES AND TORTOISES

**NR 22.13 Turtles and tortoises.** All turtles taken with commercial gear or traps may be possessed and sold only upon compliance with the following conditions.

(1) A small game license or commercial fishing license shall be possessed to take, possess or have under control a turtle or tortoise.

(2) Snapping turtles (*Chelydra serpentina*) with a dorsal surface of the carapace or shell which measures less than 10 inches in length may not be possessed.

(3) Turtle traps constructed of webbing shall be of mesh size at least 6 inches stretch measure. Traps constructed of wire mesh shall have at least one square opening in the top panel measuring at least 4 inches on a

side and one of the same dimensions near the bottom of each of the side panels.

(4) Turtle traps may be set in shallow waters only; tops of traps must extend a minimum of 2 inches above the water surface.

(5) Turtle traps shall be checked and turtles shall be removed at least one day following the day set.

(6) No individual may operate more than 40 traps.

(7) When in use, each turtle trap shall have the name of the owner attached or printed on the trap visible from above, bearing the address of the owner or operator. Such inscription shall be of dimensions no less than 2½ inches in length and 5/8 inches in width.

(8) No person other than the operator or owner identified on the trap tag may tend or operate a turtle trap or remove a turtle from it.

**History:** Cr. Register, March, 1982, No. 315, eff. 4-1-82.

## SUBCHAPTER 5 GENERAL PROVISIONS

**NR 22.14 Transportation.** Any properly licensed resident or nonresident holder of an angling or commercial fishing license from the state of Iowa having lawfully taken fish or turtles in the boundary waters described in this chapter during the open season may land on the Wisconsin side of the boundary waters and personally transport fish to the state of Iowa by the most direct practicable route.

**History:** Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**NR 22.15 Taking of fish by and for the department.** Nothing in this chapter prohibits the department by contract or otherwise from carrying out its management of the boundary waters as required by the law or department policy.

**History:** Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**NR 22.16 Conflicting rules.** Where there are differences in elements of the boundary waters regulations of Iowa and Wisconsin, anglers and commercial fishers shall comply with the regulations of the state in whose territorial waters they are fishing.

**History:** Cr. Register, March, 1982, No. 315, eff. 4-1-82.

**NR 22.17 Severability.** Should any section or portion of this chapter be declared invalid or unconstitutional for any reason, the remainder of the chapter shall not be affected thereby.

**History:** Cr. Register, March, 1982, No. 315, eff. 4-1-82.