

NATURAL RESOURCES BOARD AGENDA ITEM

SUBJECT: Request authorization to hold public hearings on Fisheries Management Rule Proposals at the 2008 Spring Fish and Wildlife Rules Hearings (FH-02-08)

FOR: JANUARY, 2008 BOARD MEETING

TO BE PRESENTED BY: Joseph Hennessy

SUMMARY:

The Bureaus of Fisheries Management and Law Enforcement propose to hold public hearings on recommended fishing regulation changes at the 2008 Spring Rules Hearings, April 14, 2008. These proposals are suggested by Fisheries Management and Law Enforcement staff to address fisheries management and law enforcement issues related to management of recreational fishing in Wisconsin's inland and boundary waters. The proposals developed by the Bureau of Fisheries Management with input from the Bureaus of Law Enforcement and Legal Services, and considerable public input. Many of these proposals have been discussed with committees of the Wisconsin Conservation Congress.

At this time, the Department proposes to solicit public comment on ten items of statewide interest: 1) to create a catch-and-release muskellunge fishing season in waters north of US HWY 10, with a restriction that anglers fishing this season use only artificial lures with barbless hooks, as directed by section 29.428, Stats. or open the regular northern zone muskellunge season on the first Saturday in May; 2) to gather public input on modifications to the dates of the "northern zone" bass catch-and-release season and the requirement that anglers fishing this season use only artificial lures with barbless hooks, as directed by section 29.426, Stats.; 3) to move the end of the open season for muskellunge fishing in waters south of HWY 10 from November 30 to December 31; 4) to modify regulations governing recreational harvest of flathead catfish from Winnebago system waters; 5) to allow limited harvest of sauger from Winnebago system waters; 6) to eliminate the continuous open season for angling for gamefish in the Wisconsin River in Oneida and Lincoln Counties; 7) to increase the minimum size restriction for muskellunge harvest in the Chippewa flowage from 45 to 50 inches; 8) to correct inconsistencies in muskellunge regulations on the Black River; 9) to correct inconsistencies in walleye regulations in minor Green Bay tributaries; and 10) to clarify the use of the term "landing net" in Administrative Code. The Department would also seek public comment on approximately 10 items of local interest.

RECOMMENDATION: Authorize public hearings to be held April 14, 2008, regarding proposed changes to rules regarding fishing.

LIST OF ATTACHED MATERIALS:

- | | | | | | |
|----|-------------------------------------|---|-----|-------------------------------------|----------|
| No | <input type="checkbox"/> | Fiscal Estimate Required | Yes | <input checked="" type="checkbox"/> | Attached |
| No | <input checked="" type="checkbox"/> | Environmental Assessment or Impact Statement Required | Yes | <input type="checkbox"/> | Attached |
| No | <input type="checkbox"/> | Background Memo | Yes | <input checked="" type="checkbox"/> | Attached |

APPROVED:

/s/	1/02/08
_____	_____
Bureau Director,	Date
/s/	1/03/08
_____	_____
Administrator,	Date
/s/	1/04/08
_____	_____
Secretary, Matt Frank	Date

DATE: December 17, 2007

TO: Natural Resources Board

FROM: Matt Frank

SUBJECT: Request authorization to hold public hearings on Fisheries Management Rule Proposals at the 2008 Spring Fish and Wildlife Rules Hearings (FH-02-08)

BACKGROUND

We are recommending that the proposed rule revisions, listed below, be presented at the Spring Fish and Wildlife Hearings, to be held April 21, 2008. These proposals are suggested by Fisheries Management and Law Enforcement staff to address fisheries management and law enforcement issues related to management of recreational fishing in Wisconsin's inland and boundary waters. The proposals were reviewed and developed by the Bureau of Fisheries Management with input from the Bureaus of Law Enforcement and Legal Services, and considerable public input. Many of these proposals have been discussed with committees or county delegations of the Conservation Congress.

The attached rule order contains the following proposals:

SUMMARY OF THE RULE

Proposals of statewide interest and significance

1. To comply with provisions passed by the Wisconsin State Legislature in the State budget bill, 2007 Wisconsin Act 20, the Department proposes to create a catch-and-release season for muskellunge in inland waters north of US Highway 10, exclusive of Wisconsin-Michigan boundary waters, beginning the first Saturday in May and ending on the day before the first day of the regular musky season. This proposal will also require anglers to use artificial lures with barbless hooks only while fishing for musky during the catch and release season for that species. The Department also proposes to gather public input on moving the first day of the regular muskellunge season in waters north of US Highway 10 to the first Saturday in May.
2. To comply with provisions passed by the Wisconsin State Legislature in the State budget bill, 2007 Wisconsin Act 20, the Department proposes to require that anglers use artificial lures with barbless hooks only when fishing for bass during any catch-and-release bass season established by the Department. This proposal will affect all waters north of a line following STH 77 from its bridge over the St. Croix river east to STH 27, south on STH 27 to STH 64, east on STH 64 to its terminus in the city of Marinette and continuing due east to the shore of Green Bay and all waters north of STH 29 from its bridge over the Fox river east to its terminus in the city of Kewaunee and continuing due east to the shore of Lake Michigan. The Department also proposes to gather public input on moving the opening day of bass fishing in

the northern zone to the first Saturday in May or to eliminate the catch-and-release season for bass, with a regular opening day on the third Saturday in June.

3. The Department proposes to move the closing date for the muskellunge open season in waters south of US Highway 10 from November 30 to December 31, to increase fishing opportunities for anglers.
4. The Department proposes several changes to regulations regarding recreational harvest of flathead catfish from Winnebago system waters. These changes include a reduction in daily bag and possession limits from 2 fish to 1 fish and 10 fish to 2 fish, respectively, and implementation of a 30-inch minimum size restriction on harvest of flathead catfish, with harvest of fish between 36-42 inches prohibited.
5. The Department proposes to increase the daily bag limit for sauger in Winnebago system waters from 0 fish to 1 fish, in response to successes seen in rehabilitating the species in that system.
6. The Department proposes to eliminate the continuous open season for northern pike, walleye, and bass in the segment of the Wisconsin River downstream from the St. Regis dam, Rhinelander (Oneida County) to the Grandfather Dam (Lincoln County). Open seasons for these species would instead be governed by the dates of the regular fishing season. This proposal is in response to continued requests from residents of Oneida and Lincoln Counties.
7. The Department proposes to increase the minimum size restriction on harvest of muskellunge in the Chippewa Flowage, Sawyer County, from 45 to 50 inches.
8. The Department proposes to correct inconsistencies in regulations governing walleye harvest in minor Green Bay tributaries. The daily bag limit will be increased from 3 fish to 5 fish and the minimum size restriction for harvest increased from no minimum to 15 inches.
9. The Department proposes to correct inconsistencies in the minimum size restriction for harvest of muskellunge in the Black River in LaCrosse, Monroe, and Trempealeau Counties. The minimum size limit for muskellunge would change from 34 to 40 inches, as it is in bordering counties.
10. The Department proposes clarification of the use of the term "landing net" in Administrative Code, to distinguish net used to land fish caught by hook and line from nets used to legally dip rough fish.

Proposals of local interest and significance:

1. The Department proposes to remove special regulations governing walleye harvest in English Lake, Ashland County, replacing the current restriction of no minimum size restriction but only 1 fish larger than 14 inches allowed with a 15 inch minimum restriction.
2. The Department proposes changes to rules regulating harvest of bass and northern pike in Little and Big Dummy Lakes, Barron County. The proposed regulations implement a 3 fish

aggregate daily bag limit for largemouth and smallmouth bass in Big Dummy and Little Dummy lakes, Barron county, with no minimum size limit but no fish between 14 and 18 inches may be kept and only one fish larger than 18 inches may be kept. In addition, the rule also proposes to implement a 2 fish daily bag limit for northern pike, with a 26 inch minimum size restriction.

3. The Department proposes to establish three new urban fishing waters: Manger Lagoon, City of Green Bay; Remington Lake, Langlade County; and Mirror Lake, Lincoln County. The proposed rules stipulate that only children younger than 16 years of age or disabled persons may fish, and implements a 1 fish aggregate daily bag limit for largemouth and smallmouth bass, northern pike, walleye, sauger or hybrid, a 10 fish aggregate daily bag limit for panfish, and a 3 fish aggregate daily bag limit for trout.
4. The Department proposes to remove special regulations governing walleye harvest in Boot, Long, and McDermott Lakes in Iron County, replacing the current restriction of no minimum size restriction but only 1 fish larger than 14 inches allowed with a 15 inch minimum restriction.
5. The Department proposes increasing the minimum harvest size restriction for muskellunge in Enterprise Lake, Langlade and Lincoln Counties, from 34 to 50 inches, and also to change walleye regulations in the lake by replacing a rule that only 1 fish larger than 14 inches may be kept with a restriction that no fish between 14 and 18 inches may be kept but that only 1 fish larger than 18 inches may be kept. These sections also reduce the daily bag limit from 5 walleye to 3 walleye in this lake.
6. The Department proposes to increase the minimum size restriction for harvest of muskellunge in Bone Lake, Polk County, from 40 to 50 inches
7. The Department proposes to reduce the minimum harvest size restriction for walleye in Sand lake, Sawyer County, from 28 inches to 18 inches and increase the daily bag limit for walleye from 1 fish to 3 fish, in response to successful rehabilitation of the species in this Ceded Territory lake.
8. The Department proposes increases to the minimum size restriction for largemouth and smallmouth bass from 14 inches to 18 inches on Big Portage, Presque Isle, Van Vliet, Averill, and Star lakes, Vilas county, and reductions in the aggregate daily bag limit for bass from 5 fish to 1 fish.
9. The Department proposes to continue special regulations governing harvest of muskellunge and walleye in Sparkling Lake, Vilas County. These rules have been in place as part of a research project conducted by the University of Wisconsin- Madison, and the Department and University would like to continue the study. The current rules for muskellunge are set to expire by sunset clause in November, 2008 and the current rules for walleye are set to expire in March, 2009, by sunset clauses. This rule proposes to extend the sunsets to 2013-14.

10. The Department proposes to remove special regulations for trout in Long Lake, Waushara County. This lake has a stocked trout population, and the proposal moves the end of the open season from September 30 to the first Sunday in March.

POLICY IMPACTS

The proposed rule will not result in major changes to existing policy.

PREVIOUS ACTION

The Board has not previously taken action on any of the proposed items.

IMPACTS ON THE PUBLIC

The proposed rules will have minimal impact on members of the public. As with any change in regulation, there will be a requirement for anglers to learn the new rules. The FM Bureau works to notify the public of new regulations via press releases, the Internet, and fishing regulations pamphlets.

ENVIRONMENTAL ASSESSMENT

This is a Type III action under Chapter NR 150, Wis. Adm. Code, therefore no EA is required.

SMALL BUSINESS ANALYSIS

The proposed rules do not impose any compliance or reporting requirements on small businesses nor are any design or operational standards contained in the rule.

INITIAL REGULATORY FLEXIBILITY ANALYSIS

- A.1. Describe the compliance and/or reporting requirements imposed on small business.

No reporting requirements are imposed by this Order.

2. Can these compliance and/or reporting requirements be made less stringent for small business? Explain.

Not applicable.

- B.1. Describe the schedules or deadlines for compliance or reporting imposed on small business.

Not applicable.

2. Can these schedules or deadlines be made less stringent for small business? Explain.

Not applicable.

C. Can the compliance or reporting requirements for small business be consolidated or simplified? Explain.

Not applicable.

D. Can performance standards be established for small businesses in lieu of design or operational standards? Explain.

Not applicable.

E. Can small business be exempted from any or all requirements of the rule? Explain.

Not applicable.

F. Initial Regulatory Flexibility Analysis

1. Describe the type of small business that will be affected by rule.

Changes to fishing regulations have no regulatory effect on small businesses.

2. Briefly explain the reporting, bookkeeping and other procedures required for compliance with the rule.

Not applicable.

3. Describe the type of professional skills necessary for compliance with the rule.

Not applicable.

Fiscal Estimate — 2007 Session

<input checked="" type="checkbox"/> Original <input type="checkbox"/> Updated <input type="checkbox"/> Corrected <input type="checkbox"/> Supplemental	LRB Number Bill Number	Amendment Number if Applicable Administrative Rule Number FH-02-08
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Subject

Fisheries Management Rule Proposals to be presented at the 2008 Spring Fish and Wildlife Rules Hearings (FH-02-08)

Fiscal Effect

State: No State Fiscal Effect
 Indeterminate

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

- | | |
|--|---|
| <input type="checkbox"/> Increase Existing Appropriation | <input type="checkbox"/> Increase Existing Revenues |
| <input type="checkbox"/> Decrease Existing Appropriation | <input type="checkbox"/> Decrease Existing Revenues |
| <input type="checkbox"/> Create New Appropriation | |

Increase Costs — May be possible to absorb within agency's budget.

Yes No

Decrease Costs

Local: No Local Government Costs

Indeterminate

1. Increase Costs
 Permissive Mandatory
2. Decrease Costs
 Permissive Mandatory

3. Increase Revenues
 Permissive Mandatory
4. Decrease Revenues
 Permissive Mandatory

5. Types of Local Governmental Units Affected:

- Towns Villages Cities
 Counties Others _____
 School Districts WTCS Districts

Fund Sources Affected

- GPR FED PRO PRS SEG SEG-S

Affected Chapter 20 Appropriations

Assumptions Used in Arriving at Fiscal Estimate

The Bureaus of Fisheries Management and Law Enforcement propose to hold public hearings on recommended fishing regulation changes at the 2008 Spring Rules Hearings, April 14, 2008. These proposals are suggested by Fisheries Management and Law Enforcement staff to address fisheries management and law enforcement issues related to management of recreational fishing in Wisconsin's inland and boundary waters. The proposals developed by the Bureau of Fisheries Management with input from the Bureaus of Law Enforcement and Legal Services, and considerable public input. Many of these proposals have been discussed with committees of the Wisconsin Conservation Congress.

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Long-Range Fiscal Implications

None

Prepared By:	Telephone No.	Agency
Joe Polasek	266-2794	Department of Natural Resources
Authorized Signature	Telephone No.	Date (mm/dd/ccyy)
	266-2794	

Fiscal Estimate — 2007 Session

Page 2 Assumptions Narrative Continued

LRB Number	Amendment Number if Applicable
Bill Number	Administrative Rule Number

Assumptions Used in Arriving at Fiscal Estimate – Continued

Fiscal Estimate Worksheet — 2007 Session
 Detailed Estimate of Annual Fiscal Effect

Original Updated
 Corrected Supplemental

LRB Number	Amendment Number if Applicable
Bill Number	Administrative Rule Number FH-02-08

Subject

Fisheries Management Rule Proposals to be presented at the 2008 Spring Fish and Wildlife Rules Hearings (FH-02-08)

One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):

Annualized Costs:		Annualized Fiscal Impact on State Funds from:	
		Increased Costs	Decreased Costs
A. State Costs by Category			
State Operations — Salaries and Fringes		\$	\$ -
(FTE Position Changes)		(FTE)	(- FTE)
State Operations — Other Costs			-
Local Assistance			-
Aids to Individuals or Organizations			-
Total State Costs by Category		\$	\$ -
B. State Costs by Source of Funds		Increased Costs	Decreased Costs
GPR		\$	\$ -
FED			-
PRO/PRS			-
SEG/SEG-S			-
State Revenues	Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)	Increased Revenue	Decreased Revenue
GPR Taxes		\$	\$ -
GPR Earned			-
FED			-
PRO/PRS			-
SEG/SEG-S			-
Total State Revenues		\$	\$ -

Net Annualized Fiscal Impact

	<u>State</u>	<u>Local</u>
Net Change in Costs	\$ _____	\$ _____
Net Change in Revenues	\$ _____	\$ _____

Prepared By: Joe Polasek	Telephone No. 266-2794	Agency Department of Natural Resources
Authorized Signature	Telephone No. 266-2794	Date (mm/dd/ccyy)

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

The Wisconsin Natural Resources Board proposes an order to repeal NR 20.03(31)(c), 20.20(2)(g)2., (26)(g)2., (35)(d), and (44)(d); to repeal and recreate NR 20.20(5); to amend NR 20.20(1)(cm), (3), (10)(b), (11)(f), (13)(d), (24)(d), (25)(d), (29)(cm), (32)(c), (34)(a) and (e), (35)(a), (b) and (g), (44)(b) and (g)1., (49)(b), (50)(cm), (57)(e) and (i), (62)(am), (64)(c), (d)2m. and (h)9., (70)(f)4., (73)(b)3m., (g)4. and (o), 21.06(1)(b) and (d), 22.06(1)(b) and (d), 23.01, and 23.06(1); and to create NR 20.03(19m), 20.13(9), 20.165, 20.175, 20.20(27)(d), (32)(cm), (34)(bg),(35)(c)2., (42)(bm),(56)(e) and (72)(cm), and 23.05(1m) relating to fishing on the inland, outlying, and boundary waters of Wisconsin.

FH-02-08

Analysis Prepared by the Department of Natural Resources

1. Statutes Interpreted: In promulgating this rule, ss. 29.014(1), 29.039, 29.041, 29.053, 29.531 and, 29.533, Stats., which authorize fishing, have been interpreted as giving the department the authority to make changes to fishing regulations on inland and boundary waters of Wisconsin.

2. Statutory Authority: Sections 29.014(1), 29.039, 29.041, 29.053 and 227.11(2)(a),Stats.

3. Explanation of Agency Authority to Promulgate the Proposed Rules Under the Statutory Authority: Sections 29.014(1), 29.039, 29.041 and 29.053, Stats., grant rule making authority to the department to establish and maintain open and closed seasons for fish and game and any bag limits, size limits, rest days and conditions governing the taking of fish and game that will conserve the fish and game supply and ensure the citizens of this state continued opportunities for good fishing, hunting and trapping; grant that the department may establish limitations relating to taking, possession, transportation, processing, and sale or offer for sale, of nongame species; and provide that the department may regulate hunting and fishing on and in all interstate boundary waters, and outlying waters. Section 227.11(2)(a), Stats., expressly confers rulemaking authority on the department to promulgate rules interpreting any statute enforced or administered by it, if the agency considers it necessary to effectuate the purpose of the statute.

4. Related Rule or Statute: None.

5. Plain Language Rule Analysis: Section by section details of this rule order are outlined:

Sections 1 and 43 reduce daily bag limits from 2 fish to 1 fish and possession limits from 10 fish to 2 fish for flathead catfish taken from Winnebago system waters and implement a 30-inch minimum size restriction for flathead catfish taken from these waters, with an additional provision prohibiting harvest of flathead catfish between 36 and 42 inches in length.

Sections 2, 3, 46, 47, 48, 49, and 50 clarify the difference between landing nets and dip nets and how landing nets may be used for fishing in inland, outlying, and boundary waters of the state.

Section 4 requires that anglers use artificial lures with barbless hooks while fishing for bass during a catch-and-release season for bass.

Section 5 establishes a special catch-and-release season for muskellunge in inland waters north of US highway 10 and requires that anglers use artificial lures with barbless hooks while fishing for muskellunge during a catch-and-release season for muskellunge.

Sections 6, 10, 11, 12, 13, 14, 16, 17, 18, 33, 34, 42, and 44 extend the end of the open season for muskellunge in waters south of US highway 10 from November 30 to December 31.

Section 7 removes special regulations for walleye in English lake, Ashland county.

Section 8 implements a 3 fish aggregate daily bag limit for largemouth and smallmouth bass in Big Dummy and Little Dummy lakes, Barron county, with no minimum size limit but no fish between 14 and 18 inches may be kept and only one fish larger than 18 inches may be kept.

Section 8 also implements a 2 fish daily bag limit for northern pike, with a 26 inch minimum size restriction.

Section 9 establishes Manger lagoon, Brown county, as an urban fishing water, in which only children younger than 16 years of age or disabled persons may fish, and implements a 1 fish aggregate daily bag limit for largemouth and smallmouth bass, northern pike, walleye, sauger or hybrid, a 10 fish aggregate daily bag limit for panfish, and a 3 fish aggregate daily bag limit for trout.

Section 15 removes special regulations for walleye in Boot, Long, and McDermott lakes, Iron county.

Sections 19, 28, and 37 simplify muskellunge regulations on the Black river in LaCrosse, Monroe, and Trempealeau counties by increasing the minimum length restriction to 40 inches.

Section 20 establishes Remington lake, Langlade county, as an urban fishing water, in which only children younger than 16 years of age or disabled persons may fish, and implements a 1 fish aggregate daily bag limit for largemouth and smallmouth bass, northern pike, walleye, sauger or hybrid, a 10 fish aggregate daily bag limit for panfish, and a 3 fish aggregate daily bag limit for trout.

Sections 21 and 24 increase the minimum size restriction for muskellunge harvest from 34 to 50 inches in Enterprise lake, Langlade and Lincoln counties.

Sections 22 and 27 change walleye regulations in Enterprise lake, Langlade and Lincoln counties, replacing a restriction that only 1 fish larger than 14 inches may be kept with a restriction that no fish between 14 and 18 inches may be kept but that 1 larger than 18 inches may be kept. These sections also reduce the daily bag limit from 5 walleye to 3 walleye in this lake.

Section 23 establishes Mirror lake, Lincoln county, as an urban fishing water, in which only children younger than 16 years of age or disabled persons may fish, and implements a 1 fish aggregate daily bag limit for largemouth and smallmouth bass, northern pike, walleye, sauger or hybrid, a 10 fish aggregate daily bag limit for panfish, and a 3 fish aggregate daily bag limit for trout.

Sections 25, 26, 27, 29, 30, and 31 remove the continuous open season for bass, northern pike, and walleye, sauger and their hybrids in the Wisconsin River in Lincoln and Oneida counties, downstream from the St. Regis dam in Oneida county, and places those waters under the department's standard fishing seasons for those species.

Section 32 increases the minimum size restriction for muskellunge harvest from 40 to 50 inches in Bone lake, Polk county.

Section 35 increases the minimum size restriction for muskellunge harvest from 45 to 50 inches in the Chippewa flowage, Sawyer county.

Section 36 reduces the minimum size restriction for walleye in Sand lake, Sawyer county, from 28 inches to 18 inches and increases the daily bag limit from 1 fish to 3 fish.

Section 38 increases the minimum size restriction for largemouth and smallmouth bass from 14 inches to 18 inches on Big Portage, Presque Isle, Van Vliet, Averill, and Star lakes, Vilas county, and reduces the daily bag limit from 5 fish to 1 fish.

Sections 39 and 40 extend the sunset clause on special regulations for muskellunge and walleye in Sparkling lake, Vilas county from 2008-09 to 2013-14.

Section 41 removes special regulations for trout in Long lake (Town of Saxeville), Waushara county.

Section 45 clarifies regulations on Green Bay tributaries by increasing the daily bag limit for walleye, sauger and hybrids from 3 fish to 5 fish and increasing the minimum size restriction from no minimum to 15 inches.

Section 45 also increases the daily bag limit for sauger in Lake Winnebago system waters from 0 fish to 1 fish.

6. Summary of and Comparison with Existing or Proposed Federal Regulations: None known.

7. Comparison of Similar Rules in Adjacent States: Fisheries management is generally quite similar in the states surrounding Wisconsin. Each bordering state regulates fishing by the use of seasons, bag limits and size limits. Specific seasons, bag and size limits may differ for species across the surrounding states; however, the general principles are similar. Michigan, Minnesota, Iowa and Illinois all have statewide seasons, bag and size limits for fish species, along with special or experimental regulations on individual waters.

8. Summary of Factual Data and Analytical Methodologies Used in Support of the Rule: Rule proposals were developed by fisheries and law enforcement staff to address management and enforcement concerns. Proposals were reviewed for need and adequacy, and approved by a fish team or law enforcement team supervisor and forwarded to regional director for approval. Proposals approved by the regions were forwarded to the Fisheries Management Bureau Director, who conducted a review with the Fisheries Management Board, law enforcement, legal services, the Wisconsin Conservation Congress, and the Great Lakes Indian Fish and Wildlife Commission. Only proposals approved by the Fisheries Management Bureau Director are included.

9. Analysis and Documentation Used in Support of the Agency's Determination Under s. 227.114, Stats., (Small Business Impact): The proposed rules do not apply directly to businesses, but to sport anglers.

10. Effect on Small Business, Including How the Rule Will Be Enforced: The proposed rules do not impose any compliance or reporting requirements on small businesses nor are any design or operational standards contained in the rule. The rules will be enforced by Conservation Wardens who have arrest powers and may use citations.

11. Agency contact person: Joseph Hennessy, FM/4 101 South Webster Street, Madison, WI 53707-7921; email: Joseph.Hennessy@wisconsin.gov; phone: 608.267.9427.

12. Place where comments are to be submitted and deadline for submission: [To be determined.]

SECTION 1. NR 20.03(31)(c) is repealed.

SECTION 2. NR 20.03 (19m) is created to read:

NR 20.03 (19m) "Landing net" means a net suspended on a frame with an attached handle and used to land a fish that has been caught using hook and line or to net fish as authorized with the use of dip nets under this chapter or chs. NR 21 - 23.

SECTION 3. NR 20.13 (9) is created to read:

NR 20.13(9) Set, use or operate a landing net other than for landing a fish that is legally hooked or to net fish as authorized with the use of dip nets under this chapter or chs. NR 21 - 23.

SECTION 4. NR 20.165 is created to read:

NR 20.165 Bait restrictions during catch-and-release seasons for bass No person may use any hook, bait, or lure, other than an artificial lure that has a barbless hook, while fishing for bass during a catch and release bass fishing season established by the department.

Drafter's note: Other options for rules related to the special catch and release season for bass will be presented and considered at public hearing.

SECTION 5. NR 20.175 is created to read:

NR 20.175 Special catch and release season for muskellunge

NR 20.175(1)(a) There is an open season for muskellunge on inland waters north of USH 10 other than the boundary waters between this state and the state of Michigan.

NR 20.175(1)(b) *Daily bag limit, possession limit and gear restrictions.* The following restrictions apply to waters specified in par. (a) during the open season specified in par. (a):

NR 20.16(1)(b)1. The daily bag limit and possession limit for muskellunge is 0.

NR 20.16(1)(b)2. No person may use any hook, bait, or lure, other than an artificial lure that has a barbless hook, while fishing for muskellunge during a catch and release muskellunge fishing season established by the department.

Drafter's note: Other options for rules related to the special catch and release season for muskellunge will be presented and considered at public hearing.

SECTION 6. NR 20.20(1)(cm) is amended to read:

(1) ADAMS (for species or waters not listed, including Lake Superior, see sub. (73))

(cm) muskellunge	1. Wisconsin river including sloughs, bayous and flowages upstream from the Castle Rock dam	a. Hook and line.	First Saturday in May to November 30 <u>December 31</u>	1	45
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SECTION 7. NR 20.20(2)(g)2. is repealed.

SECTION 8. NR 20.20(3) is amended to read:

(3) BARRON (for species or waters not listed, see sub. (73))

(a) All species	1. All waters	a. Motor trolling is permitted	As specified in this subsection or sub. (73)	As specified in this subsection or sub. (73)	As specified in this subsection or sub. (73)
<u>(am) Largemouth and smallmouth bass</u>	<u>1. Big Dummy lake, Little Dummy lake</u>	<u>a. Hook and line.</u>	<u>First Saturday in May to Friday preceding third Saturday in June</u>	<u>0</u>	<u>--</u>
			<u>Third Saturday in June to the first Sunday in March</u>	<u>3 in total but only 1 may be longer than 18</u>	<u>None except the possession of fish from 14 through 18 is prohibited</u>
(b) Muskellunge	1. All waters	a. Hook and line.	Saturday nearest Memorial day to November 30	1	40
(c) Northern pike	1. Prairie lake, Chetek lake, Pokegama lake, Mud lake, Ten Mile	a. Hook and line.	First Saturday in May to the first Sunday in March	2	26

lake, Staples lake, Bass lake (T33N R10W S34), Horseshoe lake (T34N R14W S7), Big Dummy lake, Little Dummy lake

(d) Rough fish	1. Trout streams	a. Hook and line.	During the open season for trout	None	None
		b. By hand.	Continuous	None	None
	2. All other waters	a. Hook and line, dip netting, by hand.	Continuous	None	None
		b. Spearing	Saturday nearest May 20 to November 1	None	None
(e) Trout and salmon	1. Brill river, Conners creek, Little Vance creek, South Fork Hay river, Upper Pine creek downstream from the Dallas flowage dam, Vance creek	a. Hook and line	First Saturday in May at 5:00 a.m. to September 30	3 in total	Brown trout 12, rainbow trout 12, brook trout 8
	2. Little Granite lake, Silver lake	a. Hook and line	First Saturday in May at 5:00 a.m. to the first Sunday in March	5 in total	7
	3. All other waters not listed	a. Hook and line	First Saturday in May at 5:00 a.m. to September 30	5 in total	7

SECTION 9. NR 20.20(5) is repealed and recreated to read:

(5) BROWN (for species or waters not listed, including Lake Superior, see sub. (73))

(a) All species	1. The following posted urban waters: Manger lagoon, city of Green Bay	a. Hook and line.	Continuous but only persons under 16 years of age or disabled pursuant to s. 29.193 (3) (a), (b) or (c), Stats., may fish	1 largemouth bass, smallmouth bass, northern pike, walleye, sauger or hybrid in total; 10 panfish and bullheads in total; 3 trout and salmon in	None
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				total; None for rough fish	
(b) Catfish	1. Fox river upstream from DePere dam	a. Hook and line.	Continuous	25	None
		b. Set or bank pole and setline.	Saturday nearest May 20 to September 30	None	None
	2. All other waters except Green Bay and its tributaries	a. Hook and line	Continuous	25	None
(c) Largemouth and smallmouth bass	1. Fox river upstream from DePere dam	a. Hook and line.	Continuous	5 in total	14
(d) Muskellunge	1. Fox river upstream from DePere dam	a. Hook and line	Saturday nearest Memorial Day to November 30	1	50
(e) Northern pike	1. Fox river upstream from DePere dam	a. Hook and line.	Continuous	5	None
(f) Rough fish	1. Trout streams	a. Hook and line.	During the open season for trout	None	None
		b. By hand.	Continuous	None	None
	2. Fox river upstream from DePere dam	a. Hook and line, dip netting, by hand.	Continuous	None	None
		b. Spearing.	April 21 to the first Sunday in March	None	None
		c. Set or bank pole and setline.	Saturday nearest May 20 to September 30	None	None
	3. All other waters except Green Bay and its tributaries	a. Hook and line, by hand, dip netting.	Continuous	None	None

		b. Spearing.	April 21 to the first Sunday in March	None	None
(g) Trout and salmon	1. Haller creek, Bay Beach lagoons	a. Hook and line.	First Saturday in May at 5:00 a.m. to September 30	3 in total	None
	2. All other waters except Green Bay and its tributaries	a. Hook and line	First Saturday in May at 5:00 a.m. to September 30	5 in total	7
(h) Walleye, sauger and hybrids	1. Fox river upstream from DePere dam	a. Hook and line.	Continuous	5 in total	15

SECTION 10. NR 20.20(10)(b) is amended to read:

(10) CLARK (for species or waters not listed, including Lake Superior, see sub. (73))

b)	1. Mead and Rock Dam lakes, Black river	a. Hook and line	North of U.S. hwy. 10, Saturday nearest Memorial day to November 30	1	40
	2. Black river, East fork Black river	a. Hook and line	South of U.S. hwy. 10, First Saturday in May to November 30 <u>December 31</u>	1	40

SECTION 11. NR 20.20(11)(f) is amended to read:

(11) COLUMBIA (for species or waters not listed, including Lake Superior, see sub. (73))

(f)	1. Park, Silver, Spring and Swan lakes	a. Hook and line	First Saturday in May to November 30 <u>December 31</u>	1	40
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SECTION 12. NR 20.20(13)(d) is amended to read:

(13) DANE (for species or waters not listed, including Lake Superior, see sub. (73))

(d)	1. Wingra lake, Monona lake, Waubesa lake	a. Hook and line.	First Saturday in May to November 30 <u>December 31</u>	1	45
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SECTION 13. NR 20.20(24)(d) is amended to read:

(24) GREEN LAKE (for species or waters not listed, including Lake Superior, see sub. (73))

(d) Muskellunge	1. Big Green lake	a. Hook and line	First Saturday in May to November <u>30 December 31</u>	1 40
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SECTION 14. NR 20.20(25)(d) is amended to read:

(25) IOWA (for species or waters not listed, including Lake Superior, see sub. (73))

(d) Muskellunge	1. Twin Valley lake	a. Hook and line.	First Saturday in May to November <u>30 December 31</u>	1 40
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SECTION 15. NR 20.20(26)(g)2. is repealed.

SECTION 16. NR 20.20(27)(d) is amended to read:

(27) JACKSON (for species or waters not listed, see sub. (73))

(d) Muskellunge	1. Arbutus Canal, Black River flowage, Potter flowage, Black river, East Fork Black river, Morrison creek and Arbutus lake	a. Hook and line.	First Saturday in May to November <u>30 December 31</u>	1 40
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SECTION 17. NR 20.20(29)(cm) is amended to read:

(29) JUNEAU (for species or waters not listed, see sub. (73))

(cm) Muskellunge	1. Wisconsin river including sloughs, bayous and flowages upstream from the Castle Rock dam	a. Hook and line	First Saturday in May to November <u>30 December 31</u>	1 45
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SECTION 18. NR 20.20(32)(cm) is created to read:

(32) LACROSSE (for species or waters not listed, see sub. (73))

(cm) Muskellunge	1. Black river	a. Hook and line.	First Saturday in May to December 31	1 40
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SECTION 19. NR 20.20(33)(c) is amended to read:

(33) LAFAYETTE (for species or waters not listed, see sub. (73))

(c) Muskellunge 1. Yellowstone lake a. Hook and line First Saturday in May to ~~November 30~~ December 31 0 --

SECTION 20. NR 20.20(34)(a) is amended to read:

(34) LANGLADE (for species or waters not listed, including Lake Superior, see sub. (73))

(a) All species	1. Lower Post lake, Rolling Stone lake, Upper Post lake	a. Motor trolling is permitted	As specified in this subsection or sub. (73)	As specified in this subsection or sub. (73)	As specified in this subsection or sub. (73)
	<u>2. The following posted urban waters: Remington lake</u>	<u>a. Hook and line.</u>	<u>Continuous but only persons under 16 years of age or disabled pursuant to s. 29.193 (3) (a), (b) or (c), Stats., may fish</u>	<u>1 largemouth bass, smallmouth bass, northern pike, walleye, sauger or hybrid in total; 10 panfish and bullheads in total; 3 trout and salmon in total; None for rough fish</u>	<u>None</u>

SECTION 21. NR 20.20(34)(bg) is created to read:

(34) LANGLADE (for species or waters not listed, see sub. (73))

(bg) <u>Muskellunge</u>	<u>1. Enterprise lake</u>	<u>a. Hook and line.</u>	<u>Saturday nearest Memorial Day to November 30</u>	<u>1</u>	<u>50</u>
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SECTION 22. NR 20.20(34)(e) is amended to read:

(34) LANGLADE (for species or waters not listed, see sub. (73))

(e) Walleye, sauger and hybrids	1. Pickerel lake, Rolling Stone lake	a. Hook and line.	First Saturday in May to the first Sunday in March	3 in total	18
	2. Enterprise lake , Jesse lake, Rose lake, Sawyer lake	a. Hook and line.	First Saturday in May to the first Sunday in March	5 in total but only 1 may be longer than 14	None
	3. <u>Enterprise lake</u>	<u>a. Hook and line.</u>	<u>First Saturday in May to the first Sunday in March</u>	<u>3 in total but only 1 may be longer than 18</u>	<u>None but the possession of fish from 14 through 18</u>

inches is prohibited

SECTION 23. NR 20.20(35)(a) is amended to read:

(35) LINCOLN (for species or waters not listed, including Lake Superior, see sub. (73))

a) All species	1. Spirit River flowage, Wisconsin river downstream from CTH A including sloughs, bayous and flowages except Lake Mohawksin	a. Motor trolling is permitted	As specified in this subsection or sub. (73)	As specified in this subsection or sub. (73)	As specified in this subsection or sub. (73)
	<u>2. The following posted urban waters: Mirror lake</u>	<u>a. Hook and line.</u>	<u>Continuous but only persons under 16 years of age or disabled pursuant to s. 29.193 (3) (a), (b) or (c), Stats., may fish</u>	<u>1 largemouth bass, smallmouth bass, northern pike, walleye, sauger or hybrid in total; 10 panfish and bullheads in total; 3 trout and salmon in total; None for rough fish</u>	<u>None</u>

SECTION 24. NR 20.20(35)(c)2. is created to read:

(35) LINCOLN (for species or waters not listed, see sub. (73))

(c) Muskellunge	2. Enterprise lake	a. Hook and line.	Saturday nearest Memorial Day to November 30	1	50
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SECTION 25. NR 20.20(35)(b) is amended to read:

(35) LINCOLN (for species or waters not listed, see sub. (73))

(b) Largemouth and smallmouth bass	1. Wisconsin river including sloughs, bayous, flowages	a. Hook and line	Continuous	5 in total	14
	<u>2. Muskellunge lake</u>	a. Hook and line	First Saturday in May to Friday preceding third Saturday in June	0	--
			Third Saturday	1	18

in June to the first Sunday in March

SECTION 26. NR 20.20(35)(d) is repealed:

SECTION 27. NR 20.20(35)(g) is amended to read:

(35) LINCOLN (for species or waters not listed, see sub. (73))

<u>(g) Walleye, sauger and hybrids</u>	1. Wisconsin river upstream from Grandfather dam <u>to Kings dam</u> including sloughs, bayous and flowages	a. Hook and line	Continuous	5 in total	15
	<u>1g. Wisconsin river upstream from Kings dam including sloughs, bayous and flowages.</u>	<u>a. Hook and line</u>	<u>First Saturday in May to the first Sunday in March</u>	<u>5 in total</u>	<u>15</u>
	1m. Wisconsin river downstream from Grandfather dam including sloughs, bayous and flowages	a. Hook and line.	Continuous	5 in total but until March 31, 2014 none may be from 20 to 28 and only 1 may be > 28	15
	2. Pesobic lakes	a. Hook and line.	First Saturday in May to the first Sunday in March	5 in total but only 1 may be longer than 14I	None
	<u>3. Enterprise lake</u>	<u>a. Hook and line.</u>	<u>First Saturday in May to the first Sunday in March</u>	<u>3 in total but only 1 may be longer than 18</u>	<u>None but the possession of fish from 14 through 18 inches is prohibited</u>

SECTION 28. NR 20.20(42)(bm) is created to read:

(42) MONROE (for species or waters not listed, see sub. (73))

(bm) Muskellunge	1. Black river	a. Hook and line.	First Saturday in May to December 31	1	40
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SECTION 29. NR 20.20(44)(b) is amended to read:

(44) ONEIDA (for species or waters not listed, see sub. (73))

b) Largemouth and	1. Wisconsin river and	a. Hook	Continuous	5 in total	14
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smallmouth bass	sloughs, bayous and flowages and line- downstream from the St. Regis dam in Rhinelander				
	<u>21.</u> Bearskin lake, Crescent lake, Pelican lake, Stella lake	a. Hook and line.	First Saturday in May to Friday preceding third Saturday in June	0	--
			Third Saturday in June to the first Sunday in March	1 in total	18
	<u>32.</u> Little Bass lake	a. Hook and line. Only artificial lures may be used.	First Saturday in May to Friday preceding the third Saturday in June	0	--
			Third Saturday in June to November 15	5 in total	14
	<u>43.</u> Oneida lake	a. Hook and line	First Saturday in May to Friday preceding third Saturday in June	0	--
			Third Saturday in June to the first Sunday in March	3 in total but only 1 may be longer than 18"	None except the possession of fish from 14" through 18" is prohibited

SECTION 30. NR 20.20(44)(d) is repealed.

SECTION 31. NR 20.20(44)(g)1. is amended to read:

(44) ONEIDA (for species or waters not listed, see sub. (73))

g) Walleye, sauger and hybrids	1. Wisconsin river and sloughs, bayous and flowages downstream from the St. Regis dam in Rhinelander	a. Hook and line.	Continuous <u>First Saturday in May to the first Sunday in March</u>	5 in total	None, pursuant to s. NR 20.35
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SECTION 32. NR 20.20(49)(b) is amended to read:

(49) POLK (for species or waters not listed, see sub. (73))

(b) Muskellunge	1. All waters <u>not listed</u>	a. Hook and line	Saturday nearest Memorial day to November 30	1	40
	<u>2. Bone lake</u>	<u>a. Hook and line</u>	<u>Saturday nearest Memorial day to November 30</u>	<u>1</u>	<u>50</u>

SECTION 33. NR 20.20(50)(cm) is amended to read:

(50) PORTAGE (for species or waters not listed, see sub. (73))

(cm) Muskellunge	1. Wisconsin river including sloughs, bayous and flowages north of U.S. hwy. 10.	a. Hook and line	First Saturday in May to November 30	1	45
	2. Wisconsin river including sloughs, bayous and flowages south of U.S. hwy. 10.	a. Hook and line	First Saturday in May to November 30 <u>December 31</u>	1	45

SECTION 34. NR 20.20(56)(e) is created to read:

(56) SAUK (for species or waters not listed, see sub. (73))

(e) Muskellunge	1. Redstone Lake	a. Hook and line	First Saturday in May to November 30 <u>December 31</u>	1	40
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SECTION 35. NR 20.20(57)(e) is amended to read:

(57) SAWYER (for species or waters not listed, see sub. (73))

(e) Muskellunge	1. <u>Chippewa flowage</u> , Grindstone lake, Lac Courte Oreilles lake	a. Hook and line	Saturday nearest Memorial day to November 30	1	50
	2. Brunet river from state hwy. 70 downstream to the Chippewa river including Winter flowage, Big Sissabagama lake, Moose lake	a. Hook and line.	Saturday nearest Memorial day to November 30	1	40

3. Black lake, Mud and Callahan lakes, Tiger Cat flowage and chain of lakes (T41N R7W), north fork Chief river downstream to Mud lake (T41N R7W)	a. Hook and line	Saturday nearest Memorial day to November 30	1	28
4. Chippewa flowage , Chippewa river from the Chippewa flowage dam (Winter dam) downstream to and including the Raddison flowage and all tributaries upstream to the first dam or lake	a. Hook and line	First Saturday in May to November 30	1	45

SECTION 36. NR 20.20(57)(i) is amended to read:

(57) SAWYER (for species or waters not listed, see sub. (73))

(i) Walleye, sauger and hybrids	1. Grindstone lake, Chippewa river downstream from Radisson flowage including all tributaries upstream to the first dam or lake, Winter lake and Brunet river upstream from Winter lake to the Lake Loretta dam	a. Hook and line.	First Saturday in May to the first Sunday in March	5 in total but only 1 may be longer than 18	None but the possession of fish from 14 through 18 inches is prohibited
	2. Flambeau river, north fork Flambeau river and south fork Flambeau river including their tributaries upstream to the first dam or lake	a. Hook and line.	First Saturday in May to the first Sunday in March	5 in total but only 1 may be longer than 14	None
	3. Black Dan lake, Clear lake, Island lake (T39N R5W S2), Sand lake	a. Hook and line.	First Saturday in May to the first Sunday in March	1 in total	28
	4. <u>Sand lake</u>	<u>a. Hook and line.</u>	<u>First Saturday in May to the first Sunday in</u>	<u>3</u>	<u>18</u>

March

SECTION 37. NR 20.20(62)(am) is created to read:

(62) TREMPEALEAU (for species or waters not listed, see sub. (73))

(am) Muskellunge	1. Black river	a. Hook and line.	First Saturday in May to December 31	1	40
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SECTION 38. NR 20.20(64)(c) is amended to read:

(64) VILAS (for species or waters not listed, see sub. (73))

(c) Largemouth and smallmouth bass	2. <u>Averill lake, Big Portage lake, Big Muskellunge lake, East Ellerson lake, Forest lake, Gunlock lake, Little Bass lake (T40N, R8E, S15), Kentuck lake, Middle Ellerson lake, Papoose lake, Plum lake, <u>Presque Isle lake</u>, Salsich lake, <u>Star lake</u>, Trout lake, <u>Van Vliet lake</u>, Wabasso lake, West Plum lake, White Sand lake (T42N, R7E, S27), Whitney lake</u>	a. Hook and line.	First Saturday in May to Friday preceding third Saturday in June	0	--
			Third Saturday in June to the first Sunday in March	1 in total	18

SECTION 39. NR 20.20(64)(d)2m. is amended to read:

(64) VILAS (for species or waters not listed, see sub. (73))

(d) Muskellunge	2m. Sparkling lake	a. Hook and line.	Saturday nearest Memorial day to November 30	1	40 until November 30, 2008 <u>2013</u> when it becomes 34
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SECTION 40. NR 20.20(64)(h)9. is amended to read:

(64) VILAS (for species or waters not listed, see sub. (73))

(h) Walleye, sauger and hybrids	9. Sparkling lake	a. Hook and line.	First Saturday in May to the first Sunday in March	1 until March 1, 2009 <u>3, 2014</u> when it becomes 5	28 until March 1, 2009 <u>3, 2014</u> when it becomes 15
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SECTION 41. NR 20.20(70)(f)4. is amended to read:

(70) WAUSHARA (for species or waters not listed, see sub. (73))

f) Trout and salmon	4. Gilbert lake, Johns lake, <u>Long lake (Town of Saxeville)</u> , Pearl lake, Pine lake, Spring lake, White River pond (west branch), Wild Rose millpond	a. Hook and line	First Saturday in May at 5:00 a.m. to the first Sunday in March	5 in total	7
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SECTION 42. NR 20.20(72)(cm) is created to read:

(72) WOOD (for species or waters not listed, see sub. (73))

(cm) Muskellunge	1. Wisconsin river including sloughs, bayous and flowages	a. Hook and line.	First Saturday in May to December 31	1	45
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SECTION 43. NR 20.20(73)(b)3m. is amended to read:

(73) SPECIES OR WATERS NOT LISTED IN SUBS. (1) TO (72)

(b) Catfish	3m. Lake Winnebago system waters	a. Hook and line.	Continuous <u>First Saturday in May to September 30</u>	25 in total but until March 31, 2012 <u>only 2 1</u> may be a flathead catfish regardless of whether caught on hook and line, set or bank pole, or setline	None <u>except for flathead catfish, which is 30 but the possession of flathead catfish from 36 to 42 is prohibited</u>
		b. Set or bank pole and setline 500 feet or more from any dam	Saturday nearest May 20 to September 30	None but until March 31, 2012 <u>only 2 1</u> may be a flathead catfish regardless of whether caught on	None <u>except for flathead catfish, which is 30 but the possession of flathead catfish from 36 to 42 is prohibited</u>

hook and
line, set
or bank
pole, or
setline

SECTION 44. NR 20.20(73)(g)3. is amended to read:

(73) SPECIES OR WATERS NOT LISTED IN SUBS. (1) TO (72)

(g)	3. All other waters south of U.S. hwy. 10 not listed in subs. (1) to (72) or this paragraph	a. Hook and line.	First Saturday in May to November 30 <u>December 31</u>	1	34
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SECTION 45. NR 20.20(73)(o) is amended to read:

(73) SPECIES OR WATERS NOT LISTED IN SUBS. (1) TO (72)

(o)	1. Fox river downstream from DePere dam Walleye, sauger and hybrids	a. Hook and line.	March 2 to but not including the first Saturday in May	1 in total	28
			First Saturday in May to the first Sunday in March	3 in total	None
	2. All other waters of Green Bay, major Green Bay tributaries, Lake Michigan waters north of a line running due east from the eastern terminus of Waldo boulevard in the city of Manitowoc; Lake Michigan tributaries north of a line due east from the eastern terminus of Waldo boulevard in the city of Manitowoc	a. Hook and line	First Saturday in May to the first Sunday in March	5 in total	15
			Monday after the first Sunday in March to the Friday before the first Saturday in May		15
	3. Lake Michigan tributaries south of a line due east from the eastern terminus of Waldo boulevard in the city of Manitowoc; Lake Michigan waters south of a line due east from the eastern terminus of Waldo boulevard in the city of Manitowoc	a. Hook and line	Continuous	5 in total	15
	4. All other tributary streams and ditches to Green Bay upstream to the first dam or lake	a. Hook and line.	First Saturday in May to the first Sunday in March	3 <u>5</u> in total	None <u>15</u>

5. Lake Superior	a.	Continuous	5 in total, but 15 only one may be longer than 20 inches
	Hook and line		
6. Lake Winnebago system waters	a.	Continuous	5 walleye, 0 1 None sauger and hybrids
	Hook and line		

SECTION 46. NR 21.06 (1)(b) and (d) are amended to read:

NR 21.06(1)(b) May use dip landing nets 3 feet or less in diameter and a gaff only for the purpose of landing a fish that is legally hooked. However, such dip landing nets may be used to remove winterkilled fish in those areas and at those times designated by the department by posting, and to net fish as authorized with the use of dip nets under this chapter or ch. NR 20.

NR 21.06(d) Except in Lake Superior, its bays and tributaries, may take rough fish by means of spear, bow and arrow or dip nets and landing nets not to exceed 24 inches in diameter or square only from sunrise to sunset from the Saturday nearest April 21 to March 1, except that the use of dip nets and landing nets not to exceed 24 inches in diameter or square for the taking of rough fish in the St. Croix river downstream to the St. Croix Falls dam is permitted from the Saturday nearest May 15 to June 30 each year.

SECTION 47. NR 22.06 (1)(b) and (d) are amended to read:

NR 22.06(1)(b) Use dip landing nets 3 feet or less in diameter and a gaff only for the purpose of landing a fish that is legally hooked. However, such dip landing nets may be used to remove winterkilled fish in those areas and at those times designated by the department by posting, and to net fish as authorized with the use of dip nets under this chapter or ch. NR 20.

NR 22.06(1)(d) Take rough fish by means of a spear, bow and arrow, or landing net or dip nets not to exceed 24 inches in diameter or square from sunrise to sunset only.

SECTION 48. NR 23.01 is amended to read:

NR 23.01 Purpose. The provisions of this chapter, along with other applicable rules and statutes, regulate fishing in Wisconsin-Michigan boundary waters.

SECTION 49. NR 23.05(1m) is created to read:

NR 23.05(1m) No person may set, use or operate a landing net for any purpose other than for the purpose of landing fish legally hooked or to take fish as authorized with the use of dip nets under this chapter or ch. NR 20.

SECTION 50. NR 23.06(1) is amended to read:

NR 23.06 (1) Dip nets and landing nets may be used for taking suckers, redhorse, carp, smelt and lawyers or burbot from April 1 to May 14, in the Menominee river except in that portion from the upstream side of the Hattie Street Bridge in Marinette-Menominee upstream to the next dam and within 200 feet below dams on the river.

SECTION 51. EFFECTIVE DATE. This rule shall take effect on April 1, 2009, except Sections 35 and 45, which shall take effect on the first day of the month following publication in the Administrative Register, as provided in s. 227.22(2)(intro.), Stats.

SECTION 52. BOARD ADOPTION. This rule was approved and adopted by the State of Wisconsin Natural Resources Board on _____.

Dated at Madison, Wisconsin, _____

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By _____
Matt Frank, Secretary

(SEAL)

PROPOSED STATEWIDE AND REGIONAL FISHERIES MANAGEMENT RULE CHANGES

(If approved, these proposed rule changes would take effect on April 1, 2009, unless otherwise indicated.)

QUESTIONS 1-2 – Create catch-and-release season for muskellunge in waters north of US Highway 10, requiring anglers to use artificial lures with barbless hooks only

The 2007-09 State budget bill included the following changes to state statute

29.428 Catch and release muskellunge fishing. (1) *The department shall establish a fishing season that authorizes catch and release muskellunge fishing on inland waters north of USH 10 other than the boundary waters between this state and the state of Michigan. The catch and release muskellunge fishing season established under this section shall begin on the first day of the general fishing season established by the department and shall end on the day before the first day of the regular muskellunge fishing season established by the department.*

(2) *No person may use any hook, bait, or lure, other than an artificial lure that has a barbless hook, while fishing the catch and release muskellunge fishing season established by the department under sub. (1).*

The Department is obligated to implement this statute change in its administrative rules and is doing so through the spring hearing process. The Department has identified two options for implementing this mandatory change.

The Department recommendation is to maintain the current general fishing (first Saturday in May) and northern zone muskellunge season (Saturday preceding Memorial Day) opening dates, and allow anglers to fish for muskellunge between those dates provided that all muskellunge are released and anglers fishing for muskellunge use only artificial lures with barbless hooks. This is the most protective option for spawning muskellunge.

However some anglers may object to the complexity created by the new season, the need to use artificial lures and barbless hooks, or the fairness of allowing only catch-and-release anglers to fish for muskies. Another option is move the northern zone muskellunge season opening day to coincide with the general fishing season opening day so there would be no need for a muskellunge catch and release season. This would be the simplest option, allowing all persons to fish for muskellunge when the general fishing season opens, and carry no barbless hook restrictions. The Department did not recommend this option because it would allow additional and earlier harvest of muskellunge during their spawning period.

Please choose which option you would prefer:

- **Do you favor moving the opening day for the regular musky season in waters north of US Highway 10 to the first Saturday in May? The current closed season (First Saturday in May through the Friday preceding Memorial Day) for musky would be eliminated.**

1. YES _____ NO _____

- **If not, do you favor creating a catch-and-release season for muskellunge in waters north of US Highway 10, during which musky anglers would be restricted to using artificial lures with barbless hooks, beginning the first Saturday in May and ending**

on the day immediately preceding the regular musky season opening day, which is currently the Saturday preceding Memorial Day?

2. YES _____ NO _____

QUESTIONS 3-5 – Require anglers to use artificial lures and barbless hooks only during the northern zone catch-and-release season for bass

The 2007-09 State budget bill included the following change to state statute:

29.426 Catch and release bass fishing. *No person may use any hook, bait, or lure, other than an artificial lure that has a barbless hook, while fishing a catch and release bass fishing season established by the department.*

There is currently a catch-and-release bass season in the northern part of the state. The northern bass zone includes all waters north of a line following STH 77 from its bridge over the St. Croix river east to STH 27, south on STH 27 to STH 64, east on STH 64 to its terminus in the city of Marinette and continuing due east to the shore of Green Bay and all waters north of STH 29 from its bridge over the Fox river east to its terminus in the city of Kewaunee and continuing due east to the shore of Lake Michigan. The northern zone catch-and-release season begins the first Saturday in May and ends on the Friday preceding the third Saturday in June.

With the passage of the statute change, all anglers fishing for bass in the northern bass zone during the current catch-and-release season must now use artificial lures with barbless hooks only. This change is effective immediately and is not subject to development of administrative rules.

However, there may be anglers who may now object to the current bass catch-and-release season if they are required to use artificial lures with barbless hooks, so the Department is asking for your input on the best way to implement this new statute.

The Department recommendation is to maintain the current northern zone bass catch and release season but require anglers fishing for bass during that season to use only artificial lures with barbless hooks. This option continues to provide additional protection for spawning bass and still allows anglers additional fishing opportunities.

Some anglers may prefer to eliminate the catch-and-release season rather than require artificial lures with barbless hooks. This option would allow for additional fishing opportunities but allow for additional harvest of spawning bass.

Finally, some anglers may prefer to eliminate the catch-and-release season for bass entirely. This option would provide maximum protection of spawning bass but significantly restrict spring bass fishing opportunities.

Please choose which option you would prefer:

- **Do you favor eliminating the northern zone early bass catch-and-release season by moving the opening day in that zone to the first Saturday in May?**

3. YES _____ NO _____

- **Do you favor eliminating the northern zone early bass catch-and-release season and having the regular bass season open the third Saturday in June?**

4. YES _____ NO _____

- **Do you favor the current season structure, with a catch-and-release season beginning the first Saturday in May and ending on the day before the third Saturday in June, and the regular bass season beginning the third Saturday in June? Bass anglers would be restricted to using artificial lures with barbless hooks during the catch-and-release season.**

5. YES _____ NO _____

QUESTION 6 – Extension of southern zone muskellunge season

The Wisconsin Department of Natural Resources has greatly expanded the range of muskellunge in Wisconsin by stocking. Originally, the range of muskellunge in Wisconsin was concentrated in north central Wisconsin, waters in the Chippewa River basin, and in the Mississippi River. The expansion of the range has included southern Wisconsin waters and anglers can now enjoy fishing for muskellunge in 41 lakes and 4 rivers managed for muskellunge south of Highway 10. Interest in musky fishing has also increased dramatically in recent years and we notice more fishing pressure directed at muskellunge in the fall months right up to the close of the season on November 30. Musky anglers have requested the Department to extend the season, so they can have additional opportunities to pursue muskellunge in the late fall. The Department believes that this species is adequately protected by appropriate size limits in this part of the state, so we do not think this proposal will hurt the populations. If a waterbody freezes before December 31, anglers would be permitted to fish for muskellunge through the ice.

- **Do you favor changing the ending date of the muskellunge open season in the southern Wisconsin zone from November 30 until December 31? The opening date of the season would remain the first Saturday in May.**

6. YES _____ NO _____

QUESTIONS 7-8 – Flathead catfish rule changes in the Lake Winnebago system

Flathead catfish are one of the most important recreational and predator sport fish in the Winnebago System. It is a long-lived species that takes many years to reach trophy/quality size. Age and growth analysis has estimated these fish can live more than 30 years and are capable of attaining weights in excess of 60 pounds. Due to their long life span these fish populations may be particularly sensitive to angling pressure and harvest. In the Winnebago System, flathead catfish angling effort is directed by a combination of conventional rod and reel gear, setlines, and bankpoles. In the Wolf River, recent surveys of setline and bankpole effort indicate fishing pressure has remained at relatively high levels. Several measures have been taken to reduce exploitation including a ban on commercial fishing and lowering of daily bag limits in 2002. However, exploitation rates have still remained high, often reaching 33% or more of the quality to trophy size stock. Other concerns include the potential over harvest and/or snagging of flatheads during the late fall and winter. Anglers have voiced concern over declining flathead catfish numbers and size and have worked together with the department to formulate several management options to improve the quality of the fishery including:

1. Implementation of a 31-36 inch harvest slot limit on flathead or one over 42 inches with a daily bag limit of 1 (possession limit of 2) for setline/bankpole anglers and general anglers.

One of the major concerns expressed by anglers was a desire to improve the density of larger, trophy-sized (>40 inch, or 30+ pound) flathead catfish. This regulation would ensure protection of both young and old spawning stock. This is especially important considering these fish can live up to 30+ years of age and some of the larger females are capable of producing massive numbers of eggs. This regulation should improve overall population abundance, recruitment, and trophy potential for Winnebago System flatheads.

2. *For general anglers, establish a harvest season for flatheads that would open on the first Saturday of May and close on September 30 of each year (catch and release would apply the rest of the year). The current setline/bankpole season would remain the same.*

Currently, the flathead catfish season for general anglers is continuous. Information collected from radio telemetry tracking studies show flatheads have strong tendencies to congregate in large numbers and in select locations during over-winter periods (September – March). During the early and late phases of these periods they can be particularly susceptible to angling pressure and overexploitation since these fish do not move far from their over-winter habitat. In addition, during mid-winter coldwater periods the fish become very inactive and are easily snagged. The department has received several reports of anglers snagging catfish in both the Fox and Wolf Rivers. Having a closed harvest season during this period will ensure these fish are adequately protected during a vulnerable stage of their life history.

- **Do you favor changing the open season for flathead catfish in Winnebago System waters from a continuous season to one that would open on the first Saturday of May and close on September 30 of each year?**

7. YES _____ NO _____

- **Do you favor implementation of a one over 42 inches or 31-36 inch harvest slot limit on flatheads with a daily bag limit of 1 (possession limit of 2) for setline/bankpole anglers and general anglers (this would mean an angler could catch and keep 1 fish per day and that fish would have to be between 31 to 36 inches, or over 42 inches, all fish under 31 inches and between 36 and 42 have to be immediately released)?**

8. YES _____ NO _____

QUESTION 9 – Sauger bag limit and season on Winnebago system waters

Much work has been done to restore the sauger population in Lake Winnebago. Thirteen spawning reefs have been placed in the northeast corner of Lake Winnebago where sauger historically spawned. Netting surveys show spawning sauger appear to be using these. Roughly 5,000,000 fry and 16,500 fingerling sauger have been stocked in the lake since 2001 in a cooperative effort between Otter Street Fishing Club, Walleyes for Tomorrow and WDNR. Harvest of sauger has been eliminated since 1999 in an effort to protect the remaining stock. The combination of these efforts appears to be having positive results. The number of spawning sauger captured during spring netting is increasing. Marked fingerling sauger from stocking and unmarked, naturally produced ones are showing up in increasing numbers in annual trawling surveys on Lake Winnebago. Fin clipped sauger, stocked as fingerlings in 2001, are now showing up as young mature spawning fish in the northeast corner of Lake Winnebago. And anglers are reporting increased catches of sauger while fishing. Based on these data, it is felt that the sauger population has recovered enough to allow a limited harvest.

- **Do you favor changing the current 0 daily bag limit for sauger and walleye/sauger hybrids on Winnebago system waters to a combined daily bag limit for walleye,**

sauger, and walleye/ sauger hybrids of 5 in total of which no more than 1 may be a sauger or walleye/sauger hybrid?

9. YES _____ NO _____

QUESTION 10 – Open Season on Lake Alice, Hat Rapids Flowage, and the connecting portion of the Wisconsin River

This proposal would make open seasons on the portion of the Wisconsin River system from Rhinelander Paper Mill (St. Regis) Dam downstream to Kings Dam, including Hat Rapids Flowage and Lake Alice consistent with other inland waters in northern Wisconsin. This change would protect gamefish from harvest during March and April. This encompasses about 22 miles of the Wisconsin River system.

The angling season on this stretch of the Wisconsin River has been open continuously for largemouth bass, smallmouth bass, northern pike, and walleye since 1970 while all surrounding waters are subject to the general inland open seasons for northern Wisconsin for these species. At that time, the river was highly polluted, and closed seasons were not needed to protect fish that people either did not want to eat or couldn't safely eat. The Wisconsin River has undergone a dramatic restoration in response to cleanup mostly due to the passage of the Clean Water Act in 1972. It now supports improved populations of fish that are safe for human consumption. However, many anglers believe that high exploitation during spawning seasons when all surrounding waters are closed for gamefish is impacting abundance and size structure, especially of bass and walleye. The public voted in favor of a resolution to follow the same seasons as other inland waters in this part of the state by 78 and 71% margins at the 2007 Lincoln and Oneida County spring hearings, respectively.

- **Do you favor making the open season on the Wisconsin River system from Kings Dam (Lake Alice) upstream to the St. Regis Dam (Rhinelander Paper Mill) consistent with the general inland open season in northern Wisconsin? For largemouth bass, smallmouth bass, northern pike, and walleye, this would change the open season from continuous to the first Saturday in May through the first Sunday in March. In addition, the daily bag limit for largemouth and smallmouth bass would be 0 (catch and release only) from the first Saturday in May through the Friday before the third Saturday in June.**

10. YES _____ NO _____

QUESTION 11 – Chippewa Flowage muskellunge regulations

The goal for the Chippewa Flowage muskellunge fishery is to create and maintain a population of moderate to high density with a moderate proportion of memorable-size fish and a low proportion of trophy-size fish. Specifically, we seek a density of 0.3 to 0.4 adult muskellunge per acre with 30 to 40 percent of all adult muskellunge 42 inches and longer and 3 to 5 percent 50 inches and longer (similar to Lake of the Woods, Ontario, during its heyday).

In a comprehensive netting survey conducted by DNR biologists in spring of 2006, only 1.3 percent of adult muskellunge in the Chippewa Flowage exceeded 50 inches in length. A majority of local stakeholders in the Chippewa Flowage fishery, and musky anglers in general, desire a higher proportion of trophy-size fish (those over 50 inches long) in the rare waters that are capable of producing them in substantial numbers.

Despite the fact that the Chippewa Flowage musky population does not yet meet our high expectations, indexes of size structure have increased substantially over the past 16 years due primarily to an excellent catch-and-release ethic among Flowage anglers. The proportion of adult fish 40 inches and longer increased from 12% in 1990 to 34% in 2006. And the proportion over 45 inches increased from <2% in 1990 to almost 9% in 2006. The 45-inch minimum length limit in effect since 2003 may have played a minor role in this improvement. This gives us reason to believe that a combination of voluntary catch-and-release and mandatory release under a 50-inch minimum length limit can, in fact, further improve the size structure of this muskellunge population such that the Chippewa Flowage may once again be regarded as a world-class musky fishery.

- **Do you favor increasing the minimum length limit for muskellunge from 45 inches to 50 inches on the Chippewa Flowage in Sawyer County?**

11. YES _____ NO _____

QUESTION 12 – Walleye regulations in Green Bay tributaries

The proposed changes will create uniform seasons, size limits and bag limits for walleye in all Green Bay tributaries. Changes were made in 2006 which created consistency in walleye regulations in Wisconsin-Michigan boundary waters, Green Bay, and major Green Bay tributaries. However, minor tributaries to Green Bay were inadvertently excluded. This proposal would bring regulations for walleye in minor Green Bay tributaries into line with other streams and rivers in the area. The proposal would change the current regulation of a 3 walleye daily bag limit and no minimum length restriction to a 5 fish daily bag limit with a 15 inch minimum size restriction.

- **Do you favor replacing the current regulation of a 3 walleye daily bag limit and no minimum length restriction to a 5 fish daily bag limit with a 15 inch minimum size restriction in minor Green Bay tributaries, to bring consistency to walleye regulations in Green Bay and all of its tributaries?**

12. YES _____ NO _____

QUESTION 13 – Lower Black River muskellunge regulations

The Lower Black River flows uninterrupted from the dam in downtown Black River Falls downstream to its confluence with the Mississippi River near New Amsterdam, Wisconsin. This stretch of river borders Jackson, La Crosse, Monroe, and Trempealeau Counties. Currently only Jackson County is listed under a 40 inch minimum size and a “quality fishing opportunity” for muskellunge in the “Guide to Wisconsin Hook and Line Fishing Regulations”. The “Guide to Wisconsin Hook and Line Fishing Regulations” does not list La Crosse, Monroe, and Trempealeau Counties with the same regulation. These counties fall under the standard statewide 34 inch minimum length limit. This inconsistency has led to law enforcement problems and confusion among anglers. Furthermore, on certain parts of the river fish caught on the north half of the stream must be 40 inches to harvest, while those caught on the south half need only be 34 inches. In addition, the Lower Black River joins the Mississippi River, a border water (MN), and has a 40 inch minimum length limit for muskellunge.

The DNR Spring Rules Hearings in 1991 listed the Black River as part of a large package of waters (160) proposed for a 40” minimum. This change was designed to improve potential for natural reproduction and provide higher quality fisheries. This proposal was supported by a total margin of 200 to 14 in the four counties through which the Lower Black River flows. This regulation change will provide consistency throughout the Lower Black River.

- **Do you favor changing the muskellunge regulations on the Lower Black River and its tributaries upstream to the first dam or lake from a 34 inch minimum size limit and daily bag of 1 fish in La Crosse, Monroe, and Trempealeau Counties to a 40 inch minimum length limit and daily bag of 1 fish in those counties?**

13. YES _____ NO _____

QUESTIONS 14-15 – Clarification on the use of the term “landing net” in Administrative Code

This proposal was introduced by the Bureau of Law Enforcement. Rules on use of nets state that no person may possess, control or operate in any manner any net, seine or similar device that might be used for the purposes of fishing at any time while on any water or on the banks or shores of any water except as specifically authorized by rules. There currently is no rule that specifically authorizes nets commonly known as landing nets. Some rules currently refer to nets used to land legally caught fish as dip nets. However, other rules define dip nets as a piece of netting suspended from a round or square frame that does not exceed 8 feet in diameter or 8 feet square and that they may only be used from sunrise to sunset, by raising and lowering it vertically while fishing, and that a person may not fish in any other manner while operating a dip net or fish with hook and line from any boat while in possession of a dip net. In some parts of the state, nets commonly known and used as landing nets are also used to take rough fish such as suckers. When landing nets are used to take suckers, they are typically not used in a manner where the nets are only raised and lowered vertically. Landing nets are also commonly possessed and used statewide by many anglers while fishing with hook and line to assist in landing game fish caught by hook and line. This proposal will define a landing net as a net suspended on a frame with an attached handle and used to land a fish that has been caught using hook and line. This proposal would also clarify that landing nets are legal to possess and use while fishing with hook and line equipment, and can also be used to take rough fish when and where the harvest of rough fish is allowed with the use of a dip net.

- **Do you favor the creation of a definition of a landing net, clarifying that landing nets are legal to possess and use while fishing with hook and line equipment?**

14. YES _____ NO _____

- **Do you favor allowing the use of landing nets to take rough fish when and where the harvest of rough fish is allowed with the use of a dip net?**

15. YES _____ NO _____

PROPOSED LOCAL FISHERIES RULE CHANGES

ASHLAND & IRON COUNTIES

QUESTION 16 – Walleye regulation changes in Ashland and Iron counties

A 14- to 18-inch protected slot limit was implemented on a trial basis for walleye on four small Iron/Ashland county lakes in 1997. Walleye population objectives for those waters included maintaining adult densities at 2-4 per acre at McDermott and Boot lakes and 1-3 per acre at Long and English lakes. Of all walleye 10 inches and longer captured by fyke netting in early spring, 30-50% were expected to be 15 inches or longer.

Biologists have evaluated the impact of this regulation and determined that low recruitment (survival of naturally produced or stocked fish), angler over-harvest of legal-size walleye shorter than 14 inches, and angler non-compliance with the mandatory release of 14- to 18-inch fish have resulted in walleye populations that fail to meet our stated objectives.

- **Do you favor changing from the 14- to 18-inch protected slot limit (with only one fish greater than 18 inches) to the statewide 15-inch minimum length limit (and regular bag limits based in part on tribal harvest declarations) on McDermott, Boot, and Long Lakes in Iron County and English Lake in Ashland County?**

16. YES _____ NO _____

PROPOSED LOCAL FISHERIES RULE CHANGES

BARRON COUNTY

QUESTIONS 17-18 – Big and Little Dummy Lake bass and northern pike regulation changes

Big and Little Dummy Lakes have historically harbored a high density stunted bluegill population. During the past twenty years, walleye were stocked to try and increase predation by reducing bluegill abundance with the goal of increasing bluegill growth and size structure. A 2006 survey indicated that the historic walleye stocking has failed to create a detectable walleye population and bluegill size structure and growth is still poor with no bluegill larger than 7 inches collected. A management strategy was generated with local support from the Big Dummy Lakes District to try and improve the abundance of northern pike and size structure of largemouth bass in an effort to increase natural predation on the abundant bluegill fishery. The goal of this effort is to increase the percentage of seven inch and larger bluegill from 0 to 10% over the next 10 years.

It is felt that increasing the minimum length limit for northern pike to 26 inches will a daily bag of 2 would improve the abundance and size structure of northern pike. This regulation has worked well on other waters in Barron County with little if any angler dissatisfaction and still allows good opportunities for angler harvest. In addition, it is also felt that implementation a protective length limit for bass of 14-18 inches would increase the number of larger bass in the population which would likely increase natural predation on the abundant bluegill fishery. This regulation would also allow harvest opportunities for smaller bass 8-14 inch size range which are abundant in the fishery. Furthermore it would allow harvest of an 18 inch and larger bass as a trophy.

Therefore in an effort to improve the abundance or size structure of top predators in Big and Little Dummy Lakes with the goal of increasing bluegill growth and size structure over time;

- **Do you support replacing the current no minimum length limit, daily bag of 5 fish for northern pike on Big and Little Dummy Lakes in Barron County, with a 26 inch minimum length limit and daily bag of 2?**

17. YES _____ NO _____

- **Do you support replacing the current 14 inch minimum length limit and 5 fish daily bag limit for bass on Big and Little Dummy Lakes in Barron County with a no minimum length**

limit, with a 14-18 inch protected slot and a 3 fish total daily bag limit, where only one bass harvested may be longer than 18 inches?

18. YES _____ NO _____

PROPOSED LOCAL FISHERIES RULE CHANGES

BROWN COUNTY

QUESTION 19 – Designate Manger Lagoon, City of Green Bay, as an urban fishing water

Manger Lagoon is located within the Bay Beach Wildlife Sanctuary in the City of Green Bay. Manger Lagoon is an artificial impoundment with 15 surface acres. Sanctuary staff currently maintain the fishery through stocking from private fish hatcheries. Species stocked include: rainbow trout, hybrid bluegill and bass.

The Wisconsin DNR and City of Green Bay desire to enroll Manger Lagoon in the DNR Urban Fishing Program. These parties would work cooperatively on fishery management of Manger Lagoon. Enrollment in the Urban Fishing Program would: a) adopt daily bag limits as 3 trout, one gamefish, and 10 panfish, with no size limit on any species; b) restrict fishing in the lagoon to youth and disabled anglers only, and c) make the lagoon open to fishing year round.

- **Do you favor adding Manger Lagoon to the DNR urban fishing program, with daily bag limits as 3 trout, one gamefish, and 10 panfish, with no size limit on any species? Fishing would be open year round, but restricted to youth and disabled anglers only.**

19. YES _____ NO _____

PROPOSED LOCAL FISHERIES RULE CHANGES

IRON COUNTY

Please see question 16 regarding walleye regulation changes in 4 Ashland and Iron County lakes.

PROPOSED LOCAL FISHERIES RULE CHANGES

LANGLADE COUNTY

QUESTION 20 – Enterprise Lake muskellunge regulations

Enterprise Lake, a 505-acre drainage lake, is an important muskellunge fishery in Langlade County and the surrounding area. It has good densities and growth potential to be managed as a trophy muskellunge fishery. Harvest of adult muskellunge over 34 inches is great enough to limit the growth and trophy potential of them in Enterprise Lake. A 2005-06 survey estimated the adult (30 inches and larger) muskellunge abundance at 0.38 per acre which is good for a stocked population. Local anglers and the

Enterprise Lake Association have expressed a desire to improve the size quality of muskellunge and to maximize growth and trophy potential of muskellunge in Enterprise Lake. Analyses have shown that a 50 inch size limit will accomplish these goals.

- **Do you favor changing the muskellunge regulations on Enterprise Lake from a 34 inch minimum size limit and daily bag of 1 fish to the following: 50 inch minimum length limit and daily bag of 1 fish?**

20. YES _____ NO _____

QUESTION 21 – Enterprise Lake walleye regulations

Enterprise Lake, a 505-acre drainage lake, is an important walleye fishery in Langlade County and the surrounding area. It has excellent natural reproduction of walleye and is supported entirely by natural recruitment of fish. Harvest of adult walleye is very high and limits the overall population density (number per acre). A 2005 survey estimated the adult walleye abundance at 0.8 per acre which is low for a highly reproductive, naturally reproducing walleye population. Local anglers and the Enterprise Lake Association have expressed a desire to improve the number of adult walleye, while continuing to be able to harvest some of the abundant smaller fish. Analyses have shown that a protected slot size of 14-18 inches and daily bag of 3 fish and only 1 per day over 18 inches is an appropriate regulation to meet these goals. This regulation is intended to continue to allow anglers to harvest abundant walleye less than 14 inches while at the same time increasing the number of adult walleye in the population. The regulation has the potential to increase the number of walleye 15 inches and greater from 0.7 to 2.5 per acre.

- **Do you favor changing the walleye regulations on Enterprise Lake from no minimum size limit but only 1 fish over 14 inches to no minimum length limit, but with a protected slot size of 14-18 inches and daily bag of 3 fish with only 1 per day over 18 inches?**

21. YES _____ NO _____

QUESTION 22 – Designate Remington Pond, City of Antigo, as an urban fishing water

Remington pond is a 4.8-acre city of Antigo storm water retention pond that was constructed about 5 years ago. The dug impoundment is shallow (about 6 feet maximum depth), not spring fed, and other than storm water drainage has no inlets or outlets. The pond is prone to low dissolved oxygen and winterkills most years. It cannot support trout or most other species of fish year-round, but The Northwoods Sportsmen's Club and Antigo Chapter of Trout Unlimited have been stocking trout in the pond in the spring and fall periodically since 2005 for children to enjoy.

The Wisconsin DNR and City of Antigo desire to enroll Remington Pond in the DNR Urban Fishing Program. Enrollment in the Urban Fishing Program would: a) adopt daily bag limits as 3 trout, one gamefish, and 10 panfish, with no size limit on any species; b) restrict fishing in the pond to youth and disabled anglers only, and c) make the pond open to fishing year round.

- **Do you favor adding Remington Pond to the DNR urban fishing program, with daily bag limits as 3 trout, one gamefish, and 10 panfish, with no size limit on any species? Fishing would be open year round, but restricted to youth and disabled anglers only.**

22. YES _____ NO _____

PROPOSED LOCAL FISHERIES RULE CHANGES

LINCOLN COUNTY

Please see questions 20-21 regarding proposed muskellunge and walleye regulation changes in Enterprise Lake, Langlade and Lincoln Counties.

QUESTION 23 – Designate Mirror Lake, City of Tomahawk, as an urban fishing water

Mirror Lake is a 4.4-acre lake within the city limits of Tomahawk. It is a very soft water seepage lake with a maximum depth of 7 feet. Mirror Lake is prone to low dissolved oxygen that winterkills most years and cannot support trout or most other species of fish year-round. The city and Tomahawk Fishing Unlimited have built and maintained a handicapped fishing pier to improve the angling experience for some. Mirror Lake is a popular lake for kids and school groups to go fishing. It receives quite a bit of fishing activity following stocking, and seems to be very popular with city officials and people in the community.

The Wisconsin DNR and City of Tomahawk desire to enroll Mirror Lake in the DNR Urban Fishing Program. Enrollment in the Urban Fishing Program would: a) adopt daily bag limits as 3 trout, one gamefish, and 10 panfish, with no size limit on any species; b) restrict fishing in the lake to youth and disabled anglers only, and c) make the lake open to fishing year round.

- **Do you favor adding Mirror Lake to the DNR urban fishing program, with daily bag limits as 3 trout, one gamefish, and 10 panfish, with no size limit on any species? Fishing would be open year round, but restricted to youth and disabled anglers only.**

23. YES _____ NO _____

PROPOSED LOCAL FISHERIES RULE CHANGES

POLK COUNTY

QUESTION 24 – Bone Lake muskellunge regulations

Bone Lake has been actively used as a muskellunge research lake over the past several decades. In 1990, Bone Lake was one of the first lakes in northwest Wisconsin to be managed under a 40 inch minimum length limit. The benefits of this regulation were evident during a recent fish survey during 2005-2006 that documented a very desirable muskellunge population of 0.56 fish per acre with 0.11 fish per acre larger than 40 inches. However, there were very few fish larger than 45 inches in the population and over a two year period only 5 fish were sampled larger than 45 inches in length and the largest fish captured was 47.5 inches. In addition, growth and condition of muskellunge was not considered to be a limiting factor because Bone Lake muskellunge condition actually improved over the past 10 years suggesting some other factor is likely limiting the presence of larger muskellunge in the population.

To get a better grasp of this, in 2006, 52 legal length (40 inches and larger) muskellunge were tagged with external floy tags. Based on tag returns received from anglers, 16% of the reported tagged muskellunge died from angling or hooking mortality. It is felt this level of mortality of larger fish is too high to

produce large numbers of 45 inch and larger muskellunge and is likely one of the main reasons for the lack of 45 inch and larger muskellunge in Bone Lake.

The current management plan for Bone Lake calls for increasing the percentage of 45 inch and larger fish from 1% to 5% over the next 15 years and increasing the number of 50 inch muskellunge from 0% to 1%. It is felt that increasing the minimum length limit to 50 inches will achieve this goal by reducing angler harvest of smaller 40-44 inch muskellunge which are common in the population and allow those fish to grow and recruit into a more preferred 45-50 inch size range over time.

- **Do you support increasing the muskellunge minimum length limit from 40 to 50 inches with a daily bag of 1 on Bone Lake?**

24. YES _____ NO _____

PROPOSED LOCAL FISHERIES RULE CHANGES

SAWYER COUNTY

QUESTIONS 25 – Sand Lake walleye regulations

The objective for the Sand Lake walleye fishery is to restore a naturally reproducing population by allowing only conservative harvest and maintaining a moderately high density of 4 to 8 adults per acre, with 30 to 50 percent of all 10-inch and larger walleye over 15 inches long and 10 to 20 percent over 18 inches long. We believe a walleye population with these characteristics is desirable in itself; but that it also will maximize the odds that a popular crappie fishery at Sand Lake will be characterized by low to moderate numbers of fast-growing, preferred-size black crappie.

In spring of 2007, biologists estimated the adult walleye population of Sand Lake had increased to a density of 2.8 per acre under a restrictive 28-inch minimum length limit since a major restoration project began approximately six years ago. The proportion of 10-inch and larger walleye over 15 inches long in spring of 2007 was only 23 percent, though it is likely that many females 16 to 17 inches long were still immature and therefore not vulnerable to capture by fyke nets on the spawning grounds. At any rate, density and size structure have improved dramatically since 2000, but they are not yet within our target ranges.

At this time, we do not know whether natural reproduction or aggressive stocking is most responsible for the comeback of walleye to Sand Lake, but we are prepared to relax angler harvest restrictions in order to see if objectives can be met under a still-conservative minimum length limit of 18 inches, with a daily bag limit of 3 fish.

Growth rates of walleye in the restored population have been above average, leading us to believe that some fish in the population will exceed 18 inches by the time the proposed regulation becomes effective.

- **Do you favor decreasing the minimum length limit for walleye from 28 inches to 18 inches and increasing the daily bag limit from 1 fish to 3 fish on Sand Lake in Sawyer County?**

25. YES _____ NO _____

PROPOSED LOCAL FISHERIES RULE CHANGES

VILAS COUNTY

QUESTION 26 – Big Portage Lake bass regulations

The current 14 inch minimum size limit and 5 fish bag limit, combined with the early catch and release season is not adequate to provide a quality bass fishery in Big Portage Lake. Changing the bass regulation to an 18 inch minimum and one fish bag limit should increase bass numbers and quality. Several similar lakes in the area have had this regulation on them since the late 1990s. In each case we have seen a dramatic improvement in the numbers of bass, average length, and improved catch rates.

Plum Lake, located in central Vilas County, is an example of where 18 inch size limit has produced a quality bass fishery. In 1996, the size limit was changed from 12 to 18 inches and the bag limit was reduced from 5 to 1. Based on surveys conducted in 1995 and 2003 the number of smallmouth bass ≥ 8 inches has increased from 0.2 to 0.6 fish/acre. The number of bass ≥ 18 inches also increased from 0.03 to 0.2 per acre. Creel surveys conducted in these same years showed that angler catch rates for smallmouth bass improved from 15.5 to 4.4 hours to catch a fish. There is no reason to believe that the 18 inch minimum and 1 fish bag limit would not produce the same quality results on Big Portage Lake.

This regulation change should boost bass numbers, increasing predation on rusty crayfish present in Big Portage Lake. Recent research on rusty crayfish in northern Wisconsin has found that an increasing numbers of predatory fishes through restricted fishing, combined with trapping can substantially decrease crayfish numbers in a lake.

- **Do you favor increasing the minimum length limit from 14 inches to 18 inches and reducing the daily bag limit from 5 to 1 in total for bass on Big Portage Lake, Vilas County?**

26. YES _____ NO _____

QUESTION 27 – Presque Isle Chain bass regulations

The current 14 inch minimum size limit and 5 fish bag limit, combined with the early catch and release season is not adequate to provide a quality bass fishery in the Presque Isle Chain of lakes, including Presque Isle, Van Vliet, and Averill Lakes. Changing the bass regulation to an 18 inch minimum and one fish bag limit should increase bass numbers and maintain quality. This system has the potential to provide a memorable fishing opportunity based on the criteria outlined in Wisconsin's Black Bass Management Plan (Simonson 2001). Several similar lakes in the area have had this regulation on them since the late 1990's. In each case we have observed a dramatic improvement in the numbers of bass, average length, and improved catch rates.

Plum Lake, located in central Vilas County, is an example of where an 18 inch size limit has produced a quality bass fishery. In 1996, the size limit was changed from 12 to 18 inches and the bag limit was reduced from 5 to 1. Based on surveys conducted in 1995 and 2003 the number of smallmouth bass ≥ 8 inches has increased from 0.2 to 0.6 fish/acre. The number of bass ≥ 18 inches also increased from 0.03 to 0.2 per acre. Creel surveys conducted in these same years showed that angler catch rates for smallmouth bass improved from 15.5 to 4.4 hours to catch a fish. There is no reason to believe that the 18 inch minimum and 1 fish bag limit would not produce the same quality results on the Presque Isle Chain.

This regulation change should boost bass numbers, increasing predation on rusty crayfish present in the chain. Recent research on rusty crayfish in northern Wisconsin has found that increasing numbers of predatory fishes through restricted fishing, combined with trapping, can substantially decrease crayfish numbers in a lake.

- **Do you favor increasing the minimum length limit from 14 inches to 18 inches and reducing the daily bag limit from 5 to 1 in total for bass on the Presque Isle Chain of Lakes, including Presque Isle, Van Vliet, and Averill Lakes, Vilas County?**

27. YES _____ NO _____

QUESTION 28 – Sparkling Lake game fish regulations

This proposal would extend the current regulations for largemouth and smallmouth bass (18" minimum length limit, 1 daily bag limit), walleye (28" minimum length limit, 1 daily bag limit), and Muskellunge (40" minimum length limit) on Sparkling Lake, Vilas County, for an additional 5 years. The current regulations have been in place for 6 years, but are set to expire at the end of the next fishing season, by sunset clause.

The University of Wisconsin and the Wisconsin Department of Natural Resources wish to continue a research project to evaluate the impacts of game fish population manipulations on controlling exotic species. This study has combined intensive harvest of exotic species (rusty crayfish and rainbow smelt) with increased predation by game fish in order to control the impact of these species on Sparkling Lake. The goal is to restore the natural fish and plant community that was present prior to the invasion of these two exotic species. Some of these goals have been met but the 7 year time limit has not been long enough to fully see the expected changes in the fish community. Researchers feel a 5 year extension of the current special rules will give them the necessary time to see if all the fishery goals can be met. It is hoped that the information gained from this intensive cooperative project can be applied to control exotic species in other waters of the state.

- **Do you favor maintaining the restrictive regulations for largemouth and smallmouth bass, walleye, and muskellunge on Sparkling Lake, Vilas County, for 5 additional years?**

28. YES _____ NO _____

QUESTION 29 – Star Lake bass regulations

The current 14 inch minimum size limit and 5 fish bag limit, combined with the early catch and release season is not adequate to provide a quality bass fishery in Star Lake. Changing the bass regulation to an 18 inch minimum and one fish bag limit should increase bass numbers and quality. Several similar lakes in the area have had this regulation on them since the late 1990's. In each case we have seen a dramatic improvement in the numbers of bass, average length, and improved catch rates.

Plum Lake, which is connected to Star Lake, is an example of where 18 inch size limit has produced a quality bass fishery. In 1996, the size limit was changed from 12 to 18 inches and the bag limit was reduced from 5 to 1. Based on surveys conducted in 1995 and 2003 the number of smallmouth bass \geq 8 inches has increased 200%. During this same time span the number of bass \geq 18 inches has increased over 500%. Creel surveys conducted in these same years showed that angler catch rates for smallmouth bass improved from 15.5 to 4.4 hours to catch a fish. Plum Lake is very similar in size, depth, fertility,

habitat, and fish community to Star Lake. There is no reason to believe that the 18 inch minimum and 1 fish bag limit would not produce the same quality results on Star Lake.

This regulation change should boost bass numbers, increasing predation on the abundant rusty crayfish population present in Star Lake. Recent research on rusty crayfish in northern Wisconsin has found that a combination of increasing numbers of predatory fishes through restricted fishing and removals can decrease crayfish numbers substantially.

- **Do you favor increasing the minimum length limit from 14 inches to 18 inches and reducing the daily bag limit from 5 to 1 in total for bass on Star Lake, Vilas County?**

29. YES _____ NO _____

PROPOSED LOCAL FISHERIES RULE CHANGES

WAUSHARA COUNTY

QUESTION 30 – Long Lake trout regulation changes

Long Lake is a 272 acre clear water seepage lake with a maximum depth of 71 feet. Long Lake had historically been managed as a two story fishery and stocked with trout. As part of the current management plan, local fishing clubs and the DNR began a coldwater stocking program. The current regulation closes the trout fishing season on September 30. This proposal would extend the season for trout until the first Sunday in March and increase opportunity by allowing trout to be harvested through the ice.

- **Do you support extending the open season for trout, on Long Lake in the Town of Saxeville, Waushara County, from the first Saturday in May through the first Saturday in March?**

30. YES _____ NO _____