

NATURAL RESOURCES BOARD AGENDA ITEM

SUBJECT: Request for adoption of FH-01-09: fishing and clamming regulation changes supported at the 2009 Spring Fish and Wildlife Rules Hearings.

FOR: JUNE, 2009 **BOARD MEETING**

TO BE PRESENTED BY: Joseph Hennessy

SUMMARY:

The Bureaus of Fisheries Management and Law Enforcement request adoption of a number of proposed changes to rules related to recreational fishing and clamming in the inland and boundary waters of Wisconsin. The Department is advancing eight changes of broad, statewide significance, and approximately 25 questions of local or regional interest, which affect fishing regulations on individual waters, for your consideration. Among the changes of statewide interest include a rule which will require background checks for adults who mentor children in the Department's angler education, aquatic education, and outdoor skills programs, and changes which will strengthen but codify rules related to recreational clamming in the St. Croix National Scenic Riverway and commercial clamming in the St. Croix and St. Louis Rivers where those rivers form the boundary between Wisconsin and Minnesota. The Department further recommends elimination of rules which restrict anglers to using barbless hooks only in the early catch-and-release trout season. Barbless hooks have not proven to significantly reduce trout mortality when compared to conventional, barbed hooks. Anglers will still be restricted to using artificial lures only during the early trout season. Several of the supported proposals "of statewide interest" are rules which clarify portions of Administrative Code without significantly changing the scope of existing rules, including changes which better define the upstream boundaries of the middle Wisconsin, Chippewa, Yellow, and other large rivers. Two questions of local or regional interest advanced to hearing were not supported in the affected counties and thus are not recommended for adoption: rules affecting musky angling regulations on Kentuck Lake and rules related to walleye harvest in North and South Twin Lakes (all in Vilas County).

RECOMMENDATION: Adopt FH-01-09: fishing and clamming regulation changes for 2009 Spring Fish and Wildlife Rules Hearings.

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/
Bureau Director, Mike Staggs

Date 5/21/09

_____/s/
Administrator, Todd Ambs

Date 5/25/09

_____/s/
Secretary, Matt Frank

Date 6/03/09

- | | | |
|---------------------------|-----------------------|---------------------------------------|
| cc: Laurie J. Ross - AD/8 | Randy Stark, LE/8 | FM Board (8) |
| Mike Staggs, FM/4 | Tom Van Haren, LE/8 | GLIFWC, Tribal Chairpersons (13) |
| Fisheries Management (4) | Kurt Thiede, AD/8 | IA, MI, MN DNR (3) |
| Tim Andryk, LS/8 | Paul Neumann, MB/8 | Conservation Congress Exec. Comm. (3) |
| Pete Flaherty, LS/8 | Diane Brookbank, CS/1 | |

DATE: May 15, 2009

TO: Natural Resources Board

FROM: Matt Frank

SUBJECT: Request for adoption of FH-01-09: fishing and clamming regulation changes supported at the 2009 Spring Fish and Wildlife Rules Hearings.

BACKGROUND

The Department recommends adoption of the below listed rule revisions, presented at the Spring Fish and Wildlife Hearings held April 13, 2009. These proposals are suggested by the Bureaus of Fisheries Management and Law Enforcement to address fisheries management and law enforcement issues related to management of recreational fishing and clamming in Wisconsin's inland and boundary waters. The proposals were developed by the Bureaus of Fisheries Management and Law Enforcement with input from the Bureau of Legal Services, and considerable public input. Representative of both the Conservation Congress Executive Committee and the Great Lakes Indian Fish and Wildlife Commission were part of discussions regarding advancement of these proposals. Many of these proposals have been discussed with committees or county delegations of the Conservation Congress, and all of the proposals recommended for adoption were supported at the 2009 spring rules hearings.

Two local proposals were presented at public hearing but withdrawn because of lack of support: a proposal to increase the minimum harvest size restriction for muskellunge in Kentuck Lake, Vilas County, from 34 to 50 inches, and a proposal to remove the 15-inch minimum length restriction for walleye harvest in North and South Twin Lakes, Vilas County, but add a restriction under which walleye between 14 and 18 inches could not be kept.

Minor modifications were made to language presented at hearing in sections clarifying the boundaries of larger rivers in Sawyer and Juneau counties.

SUMMARY OF THE RULE

The attached rule order contains the following proposals recommended for adoption:

Proposals of statewide interest and significance

1. Background checks: The rule allows the department to conduct criminal history background checks on individuals that want to serve as department sponsored volunteer angler education instructor or a mentor as part of a department sponsored or approved learn-to-hunt program. These instructors often and primarily serve as instructors for youth. Similar to the hunter, boater, snowmobile, ATV and trapper education volunteer instructor programs, it is important that we make sure we are not providing the opportunity for any individual who is not allowed to associate

with children or who has been convicted of an illegal act involving children, from having the opportunity to work with children during the outdoor recreational programs conducted by DNR.

This rule will also remove the condition that a mentor for fishing programs may not serve as a mentor for more than 3 anglers and clarify that the applicant, instructors and mentors need to possess a valid fishing license. Section 1 will also reduce the 30 day advanced notice for applications for fishing programs to 15 days.

2. Daily bag limit for minnows: The rule corrects an administrative error which was included in the recently adopted rules regarding minnow harvest and possession, as related to concerns regarding containing the spread of Viral Hemorrhagic Septicemia. Currently Administrative Code (NR 20.20(73)(h)6.b.) states that "600 suckers in total" may be retained by an individual. However, the daily bag limit should be 600 minnows, including, but not restricted to, suckers.
3. Remote-control boats for fishing: This rule clarifies legality of using a small remote controlled boat or similar device with a piece of line and hook attached for the purpose of catching fish in Wisconsin. Aviva Sports, a division of Shoremaster is one company that is currently producing these small boats and making them available on-line as well as at retail outlets.

The Bureau of Law Enforcement discussed the use of this type of device for fishing purposes with the Bureaus of Legal Services and Fisheries. Our interpretation of the law is that these devices when used for fishing, if not tethered back to the boat, pier or shore where the person operating it is located, is not allowed under our "jug-fishing" rule in NR 20.06(10).

It is our opinion that a remote control device which is not tethered or connected with a line to which the angler has control of, does not comply with this rule or its original intent. This rule change proposal is meant to clarify this in the rule with language that will more clearly state what NR 20.06(10) means. That being that any line or device used for fishing must be under the control of the angler with a tethered line that allows for the retrieval of the device and attached hook and line.

It may also be argued that this type of device may violate the unattended line prohibition in s. NR 10.08(9), Wis. Adm. Code, which states that the failure to immediately respond to a fish bite is prima facie evidence that the line is unattended. Based on video we have viewed, depending on the size of the fish, a person operating this device may not be able to immediately respond in a reasonable manner. The manufacture advised that the "Fishing Buddy" remote controlled boat can only handle a fish of 2 pounds or less. If a bigger fish gets hooked, it can not be controlled or retrieved by the power of the small remote controlled boat. This also shows that the device is not always under the control of the angler. This device may be seen in action at the following web site: <http://www.goaviva.com/whatsnew.html>

4. Licenses for taking crayfish: The rule order contains language which clarifies that either a small game license or a fishing license is sufficient approval for a person older than 16 to take crayfish in Wisconsin.
5. Clarify boundaries of large rivers and their tributaries: The Wisconsin and many other large inland rivers, including the Chippewa, Flambeau, Lemonwier, and Yellow have continuous

open seasons for game fish, or regulations which differ from their tributary streams. Many places in Administrative Code offer an ambiguous boundary between what is open and what is closed. This Administrative Law change provides clarification by defining the boundaries on these rivers. Current language defines each of these rivers as “including its bayous, flowages, and tributaries.” The new language revises these definitions to each river and its tributaries “upstream to the first dam or highway bridge.” In a limited number of cases, specific boundaries are further defined in Code. This wording is similar to wording currently in place for the Wisconsin River from the southern Columbia County line downstream to the mouth of the river, and affects waters in Adams, Juneau, Lincoln, Marathon, Oneida, Portage, and Wood Counties. In Juneau, Lincoln, Marathon, and Portage Counties additional language is used to further clarify the boundaries of the Wisconsin river and its flowages.

Similar wording is included for the Chippewa River, East Fork of the Chippewa river, the North and South Forks of the Flambeau River, LaCrosse River, Lemonweir River, and Yellow River in Ashland, Juneau, LaCrosse, Monroe, Price, Rusk, and Sawyer Counties.

6. Repeal barbless hooks requirement for early trout season: Currently anglers are required to use artificial lures with barbless hooks during the early, catch-and-release trout season. However, numerous studies have concluded that barbless hooks do not significantly reduce hooking mortality when compared to conventional barbed hooks. This rule will repeal the barbless hooks only restriction. Anglers are still be required to use artificial lures only during the early, catch-and-release tout season.
7. Mussel harvest in St. Croix, Namekagon, and St. Louis Rivers: The Department recommends prohibition of collection of live mussels or dead shell from the St. Croix River National Scenic Riverway. Mussel harvest regulations are inconsistent between regulatory agencies on the St. Croix River. National Park Service rules do not allow any harvest of mussels, live or dead, within the St. Croix National Scenic Riverway. Where the St. Croix River forms the boundary between Wisconsin and Minnesota, Minnesota does not allow any live harvest of mussels or collection of dead shells in the river. Wisconsin currently allows the personal harvest of 50 pounds of live mussels daily on border waters with Minnesota by hand picking. Wisconsin regulations also allow the collection of unlimited quantities of dead shell, except endangered or threatened species, from these border waters. Both Wisconsin and Minnesota currently do not allow harvest of live mussels from inland waters in either state. This proposal will make rules between the three jurisdictions consistent.

This rule also eliminates commercial mussel harvest in the St. Croix River where it forms the boundary between Wisconsin and Minnesota (the activity is already prohibited by National Park Service rules), and in the St. Louis River where it forms the boundary between Wisconsin and Minnesota. This will complete closure of all potential commercial mussel harvest in Wisconsin. There are no active commercial clammers in any of the waters affected by this rule.

Proposals of local interest and significance:

In general, the proposals considered to be of local or regional significance are those in which minor adjustments are made to Administrative Code. These are generally adjustments to angler daily bag

limits and/or rules governing what sizes of fish may be harvested, or opening and closing dates for open seasons, within individual water bodies.

The Department recommends:

8. setting a minimum length restriction for walleye in Upper Clam lake (Ashland county) of 15 inches;
9. increasing the minimum length restriction for walleye in Beaver Dam lake (Barron county) from 15 inches to 18 inches, and reducing the daily angler bag limit for walleye from 5 fish to 3 fish;
10. creating an annual open season for trout in Beaver, Little Star, Nymphia, and Overby (Blaisdell) lakes (Bayfield county), where the seasons in these lakes are currently closed every other year. The trout season in Balsam pond was listed as open every other year, but that pond is no longer managed for trout and so its trout regulations will be struck from code. The annual open season in the other waters will be between the first Saturday in May and September 30;
11. removing the 14 inch minimum length restriction for largemouth and smallmouth bass in Lake 26 (Burnett county);
12. extending the end of open season for trout in Anderson lake (Douglas county) from September 30 to the first Sunday in March;
13. setting a minimum length restriction for walleye in Bearskull, Fisher, Owl, and Upper and Lower Springstead lakes (Iron county) of 15 inches;
14. increasing the minimum size restriction for northern pike in Silver lake (Manitowoc county) from 26 to 32 inches and reducing the daily angler bag limit from 2 to 1;
15. correcting an administrative error which improperly listed the minimum length restriction for walleye in the Wisconsin river downstream from the St. Regis dam in Rhinelander (Oneida county) as none rather than 15 inches;
16. increasing the minimum length restriction for largemouth and smallmouth bass in Burrows lake (Oneida county) from 14 inches to 18 inches, and decreasing the daily angler bag limit from 5 to 1;
17. increasing the minimum length restriction for walleye in Big Round lake (Polk county) from 15 inches to 18 inches, and reducing the daily angler bag limit for walleye from 5 fish to 3 fish;
18. replacing the current 9 inch minimum length restriction for trout in Manley creek (Sauk county) with a 9 inch maximum size restriction. This rule will expire 10 years after implementation (April 1, 2010);

19. increasing the minimum size restriction for muskellunge in Big Sand and Long lakes (Vilas county) from 34 inches to 50 inches;
20. setting a minimum size restriction for walleye in Dead Pike lake (Vilas county) of 18 inches, and reduce the daily angler bag limit from 5 to 3;
21. increasing the minimum length restriction for walleye in White Sand (T42 N R7E S27,) and Long lakes (Vilas county) from 15 inches to 18 inches, and reducing the daily angler bag limit for walleye from 5 fish to 3 fish, and also correcting an administrative error which improperly listed the closing date of the open angling season for walleye as March 1 rather than the first Sunday in March.
22. adding Regner (Washington county) and Foxbrook (Waukesha county) ponds to the state's urban fishing program, in which there would be a continuous open season but only persons under 16 years of age or disabled pursuant to s 29.193 (3) (a), (b) or (c), Stats., may fish from the second Saturday in March to but not including the last Saturday in April, and in which persons may possess 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, and an unlimited number of rough fish.

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.

HEARING SYNOPSIS

A public hearing was held in each county of the state on April 13, 2009. Public input was collected through electronic ballots distributed at each meeting, and also through written comments received by the Bureau of Fisheries Management before April 15, 2009. Results of the public hearings are included as an attachment to this document. Local proposals were recommended for adoption only if the local and regional response was favorable. Rule change proposals affecting muskellunge regulations in Kentuck lake (Vilas County) and affecting walleye regulations in North and South Twin Lakes (Vilas County) were not supported in Vilas or many of the counties neighboring Vilas County, and thus are not recommend for adoption. Hearing attendees were in favor of repealing the barbless hooks requirement during the early trout season, but the result was relatively close.

Concerns were raised regarding proposed language clarifying the boundaries of larger rivers in Sawyer and Juneau Counties, and the Department made minor modifications to the language of these sections.

At its May, 2009 Convention, the Wisconsin Conservation Congress voted in favor of this rule package as presented.

RESPONSE TO LEGISLATIVE CLEARINGHOUSE COMMENTS

All recommendations made in the attached Legislative Clearinghouse report have been incorporated in the final version of the rule.

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. The rule will eliminate the opportunity for commercial clamming operations in the St. Louis River (National Park Service rules already prohibit commercial clamming in the St. Croix River where it forms the boundary between Wisconsin and Minnesota), but there have never been commercial clam operators in the St. Louis River.

FINAL REGULATORY FLEXIBILITY 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.

2009 DNR Spring Rule Hearings - WCC County Meetings
 Summary of Results
 Statewide by Question

4:17 PM 04/14/2009

Question	Question Description	Votes Yes	Votes No	Majority	Counties Approving	Counties Rejecting	Counites Tie vote	Counites Not Voting
2009 STATEWIDE ATTENDANCE		7939						
1	Background checks for angler education programs Part 1	5960	844	Yes	72	0	0	0
2	Background checks for angler education programs Part 2	5381	1201	Yes	72	0	0	0
3	Lake Winnebago walleye/ sauger bag limit	4632	1071	Yes	72	0	0	0
4	Minnnows/ VHS rules correction	5260	781	Yes	72	0	0	0
5	Clarifying rules re: use of remote controlled devices for fishing	5094	1165	Yes	72	0	0	0
6	Eliminate barbless hooks restriction during early trout season	3379	3032	Yes	43	27	2	0
7	Crayfish harvest license requirements	3552	2701	Yes	55	16	1	0
8	Provide clarification for sloughs, bayous and flowages Part 1	4242	1179	Yes	72	0	0	0
9	Provide clarification for sloughs, bayous and flowages Part 2	4180	1113	Yes	71	1	0	0
10	Mussel harvest	3036	2044	Yes	57	14	1	0
11	Beaver Dam Lake (Barron County) walleye regulations	3263	1825	Yes	67	4	1	0
12	Long Lake (Vilas County) walleye regulations	3245	1966	Yes	63	9	0	0
13	Dead Pike Lake (Vilas County) walleye regulations	3156	1930	Yes	64	7	1	0
14	Walleye Length Limits on Upper Clam (Ashland & Iron counties)	2633	1132	Yes	67	4	1	0
15	Bayfield County trout lakes	2432	994	Yes	68	3	1	0
16	Twenty-six Lake bass regulation change	2414	1006	Yes	69	3	0	0
17	Anderson Lake trout regulations	2139	1011	Yes	68	2	2	0
18	Silver Lake northern pike regulations	1982	1411	Yes	53	18	1	0
19	Burrows lake bass regulations	1862	1390	Yes	51	18	3	0
20	Wisconsin River walleye regulation	3010	738	Yes	70	1	1	0
21	Big Round Lake walleye regulations	2264	1070	Yes	62	9	1	0
22	Manley Creek trout regulations	1986	1085	Yes	60	10	2	0
23	Big Sand Lake and Long Lakes muskellunge regulations	2296	1709	Yes	52	18	2	0
24	Kentuck Lake muskellunge regulation	2228	1733	Yes	46	22	4	0
25	White Sand Lake walleye regulation	2259	1219	Yes	64	6	2	0
26	Twin Lakes Chain walleye regulations	2094	1411	Yes	57	15	0	0
27	Urban pond proposals	2378	840	Yes	66	5	1	0
28	Clarify the definition of "open water hunting" for waterfowl	3133	2424	Yes	54	17	1	0
29	Extend the fall turkey season	4607	2142	Yes	62	10	0	0
30	Registration of wild turkeys	5743	1051	Yes	72	0	0	0
31	Modify the bobcat hunting and trapping seasons Part 1	3447	1851	Yes	62	10	0	0
32	Modify the bobcat hunting and trapping seasons Part 2	3061	2071	Yes	58	12	2	0

2009 DNR Spring Rule Hearings - WCC County Meetings
 Summary of Results
 Statewide by Question

4:17 PM 04/14/2009

Question	Question Description	Votes Yes	Votes No	Majority	Counties Approving	Counties Rejecting	Counites Tie vote	Counites Not Voting
33	Clarify the definition of legal firearm types for hunting	3956	2156	Yes	63	8	1	0
34	Issuance of left-over turkey hunting permits	3639	2753	Yes	57	14	1	0
35	Turkey hunting by disabled permit holders Part 1	4290	1918	Yes	70	0	2	0
36	Turkey hunting by disabled permit holders Part 2	4745	1426	Yes	72	0	0	0
37	Require the registration of harvested sharp-tailed grouse	2500	3208	No	20	50	2	0
38	Special waterfowl hunting regulations at Mead – 1PM	2107	2046	Yes	36	33	3	0
39	Special waterfowl hunting regulations at Mead – Closed Prior to Duck Season	2086	2006	Yes	36	32	4	0
40	Special waterfowl hunting regulations at Mead – Townline/Berkhahn	2280	1484	Yes	58	9	5	0
41	Special waterfowl hunting regulations at Mead – Rice Lake/Pool 10	2269	1505	Yes	57	12	3	0
42	Allow the use of dogs for turkey hunting statewide during the fall season	3168	3398	No	33	38	1	0
43	Allow the harvest hen pheasants at Sand Creek Fishery Area, Monroe County	2629	1200	Yes	67	4	1	0
44	Allow the use of rifles for firearm deer hunting in Dunn County	3532	836	Yes	71	0	1	0
45	Eliminate the Nelson-Trevino Mississippi River closed area in Buffalo County	2969	1068	Yes	66	5	1	0
46	Allow the use of rifles for firearm deer hunting in Shawano County	3667	959	Yes	71	0	1	0
47	Allow firearm deer hunting at Whitefish Dunes state park, Door County	3464	667	Yes	72	0	0	0
48	Establish antlerless-only deer seasons Wildcat Mountain State Park	1949	1922	Yes	34	32	6	0
49	Hunting seasons at Cadiz Spring State Park and Recreation Area	2805	786	Yes	71	1	0	0
50	Eliminate the late season archery deer hunt at Brunet Island State Park	1401	2965	No	4	68	0	0
51	Reduce the size of Dike 17 waterfowl refuge Jackson County	2625	982	Yes	68	2	2	0
52	Reduce the size of Vernon Marsh waterfowl refuge	3039	622	Yes	72	0	0	0
53	1:00 p.m. closure of migratory bird hunting, Lake Mills Wildlife Area	1649	1633	Yes	39	31	2	0
54	Allow firearm deer hunting at Potawatomi state park, Door County	3622	622	Yes	72	0	0	0
55	Allow rifles for deer hunting on all of Hartman Creek State Park	3260	926	Yes	71	0	1	0
56	Youth Conservation Congress	4377	1637	Yes	69	3	0	0
57	An EAB Alternative	1126	5472	No	0	71	1	0
58	Turkey Hunting with Dogs Regulations	2158	3988	No	5	66	1	0
59	Buck Fawn Identification Information	5174	1369	Yes	71	1	0	0
60	Later Muzzleloader Deer Seasons – 10 day	2546	4174	No	10	61	1	0
61	Later Muzzleloader Deer Seasons – 16 day	2432	4440	No	12	60	0	0
62	Deer Registration Information	5772	962	Yes	71	1	0	0
63	Private Land-only, Antlerless-only Deer Season	2570	3933	No	12	58	2	0
64	Eliminate Earn-A-Buck (EAB) and October Antlerless Deer Hunts	5513	1321	Yes	72	0	0	0
65	Maximum of Two Consecutive Years Earn-a-Buck	5112	1325	Yes	72	0	0	0

2009 DNR Spring Rule Hearings - WCC County Meetings
 Summary of Results
 Statewide by Question

4:17 PM 04/14/2009

Question	Question Description	Votes Yes	Votes No	Majority	Counties Approving	Counties Rejecting	Counites Tie vote	Counites Not Voting
66	Allow Bow Hunting During the 9-Day Deer Gun Season	4659	2270	Yes	69	2	1	0
67	Magnifying Scopes on Muzzleloaders	4049	2606	Yes	62	9	1	0
68	Prohibit the Shooting of Antlered Deer in the CWD Zone – Shooting Permits	3602	1959	Yes	66	5	1	0
69	Remove Woodchucks from the List of Protected Species	5532	760	Yes	72	0	0	0
70	Treestands on State Lands	4624	2103	Yes	69	3	0	0
71	Statewide Coyote Hunting Season Year Round	5870	582	Yes	72	0	0	0
72	Extend Trap Check Times	3206	1793	Yes	65	6	1	0
73	Bobcat Permit Application Fee Increase	2843	2740	Yes	42	30	0	0
74	Allow Trappers to Use Bait and Lures Prior to the Trapping Season	3082	2309	Yes	53	18	1	0
75	Restrict Lake Michigan Commercial Fishing Harvest in Select Grids	3850	574	Yes	72	0	0	0
76	Allow Elderly Persons the Use of All Terrain Vehicles while Hunting	4421	1966	Yes	69	3	0	0
77	Change in the Minimum Age for Sturgeon Spearing	4081	1339	Yes	70	2	0	0
78	Prohibit Legis. Re: Wildlife and Fisheries w/o Hearings/DNR input	5379	970	Yes	72	0	0	0
79	Winter Free Fishing Weekend	5519	742	Yes	72	0	0	0
80	Include 16 & 17 Year Olds in the Youth Hunts	3294	3003	Yes	42	26	4	0
81	Increased Youth Opportunity	5677	894	Yes	72	0	0	0
82	Day Old Chick Program Requirements	3365	1120	Yes	70	1	1	0
83	Atlatl and Dart – Small Game	3053	2455	Yes	46	23	3	0
84	Combine Pheasant and Turkey Stamps	3008	2943	Yes	41	30	1	0
85	Increased Size Limit on Muskellunge, Green Bay and Related Waters	2480	2260	Yes	38	32	2	0
86	Creating a Size Limit on Northern Pike in the Waters of Green Bay	2641	1736	Yes	52	17	3	0
87	The Great Northwest Bass Restoration Initiative	2316	1354	Yes	62	9	1	0
88	Size Limit on Bass in Washburn County	2481	1134	Yes	65	7	0	0
89	Chippewa Flowage Winter Bag Limit on Crappie	2745	1062	Yes	69	0	3	0
90	Manage Smallmouth and Largemouth Bass as Separate Species	3242	1448	Yes	68	4	0	0
91	Walleye Daily Bag Limit Change, Peterwell and Castle Rock Flowages	2036	1835	Yes	41	30	1	0

Fiscal Estimate — 2007 Session

<input checked="" type="checkbox"/> Original <input type="checkbox"/> Updated <input type="checkbox"/> Corrected <input type="checkbox"/> Supplemental		LRB Number	Amendment Number if Applicable
		Bill Number	Administrative Rule Number FH-01-09

Subject

Request for adoption of FH-01-09: proposed fishing and clamming regulation changes supported at the 2009 Spring Fish and Wildlife Rules Hearings.

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 request adoption of a number of proposed changes to rules related to recreational fishing and clamming in the inland and boundary waters of Wisconsin. The Department recommends adoption of eight changes of broad, statewide significance, and approximately 25 questions of local or regional interest, which affect fishing regulations on individual waters.

Among the changes of statewide interest include a rule requiring background checks for adults who mentor children in the Department's angler and aquatic education programs. Each background check will cost the Department approximately \$5. There are currently 2,300 individuals that serve as angler or aquatic education instructors or mentors and 1,000 learn-to-hunt mentors. Therefore, the initial cost of background checks is estimated to be \$16,500 (3,300 x \$5). Ongoing costs will be approximately \$1,750 as new mentors join the angler and aquatic education and learn-to-hunt programs (apprx. 350 annually x \$5). For angler and aquatic education mentors, the cost of background checks would be covered by Sportfish Restoration funds, while learn-to-hunt mentor background checks would be covered by PR or Fish & Wildlife funds.

No other proposed changes are expected to have fiscal impacts.

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 FH-0109

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-01-09

Subject

Request for adoption of FH-01-09: proposed fishing and clamming regulation changes supported at the 2009 Spring Fish and Wildlife Rules Hearings.

One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):
 \$16,500

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		1,750	-
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		1,750	-
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	\$ 1,750	\$
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)

Report to
Legislative Council Rules Clearinghouse
NR 19, 20 and 24, Wis. Adm. Code
Natural Resources Board Order FM-01-09

Wisconsin Statutory Authority

ss. Sections 29.014(1), 29.039, 29.041, 29.053, 29.537 and 227.11(2)(a), Stats.

Federal Authority

N/A

Court Decisions Directly Relevant

None.

Analysis of the Rule – Rule Effect – Reason for the Rule

The Department of Natural Resources annually prepares a package of administrative rule that updates regulations relating to fishing and clamming in Wisconsin inland, outlying, and boundary waters. The proposals contained in this rule originate from the recommendations of department staff, members of the Conservation Congress, and members of the public. The proposed rules will:

1. Allow the department to conduct criminal history background checks on individuals that want to serve as department sponsored volunteer angler education instructor or a mentor as part of a department sponsored or approved learn-to-hunt program. These instructors often and primarily serve as instructors for youth. This proposal would also remove the condition that a mentor for fishing programs may not serve as a mentor for more than 3 anglers and clarify that the applicant, instructors and mentors need to possess a valid fishing license. This will also reduce the 30 day advanced notice for applications for fishing programs to 15 days.
2. Correct an administrative error which was included in the recently adopted rules regarding minnow harvest and possession, as related to concerns regarding containing the spread of Viral Hemorrhagic Septicemia.
3. Clarify legality of using a small remote controlled boat or similar device with a piece of line and hook attached for the purpose of catching fish in Wisconsin. Our interpretation of the law is that these devices when used for fishing, if not tethered back to the boat, pier or shore where the person operating it is located, is not allowed under our "jug-fishing" rule in NR 20.06(10).
4. Clarify that either a small game license or a fishing license is sufficient approval for a person older than 16 to take crayfish in Wisconsin.
5. Clarify boundaries of large rivers and their tributaries.
6. Repeal the barbless hooks requirement for early trout season.
7. Prohibit collection of live mussels or dead shell from the St. Croix River National Scenic Riverway, and eliminate commercial mussel harvest in the St. Croix River where it forms the boundary between Wisconsin and Minnesota (the activity is already prohibited by National Park Service rules), and in the St. Louis River where it forms the boundary between Wisconsin and Minnesota.
8. Set a minimum length restriction for walleye in Upper Clam lake (Ashland county) of 15 inches.
9. Increase the minimum length restriction for walleye in Beaver Dam lake (Barron county) from 15 inches to 18 inches, and reduce the daily angler bag limit for walleye from 5 fish to 3 fish.

10. Create an annual open season for trout in Beaver, Little Star, Nymphia, and Overby (Blaisdell) lakes (Bayfield county), where the seasons in these lakes are currently closed every other year. The annual open season in the other waters will be between the first Saturday in May and September 30.

11. Remove the 14 inch minimum length restriction for largemouth and smallmouth bass in Lake 26 (Burnett county).

13. Extend the end of open season for trout in Anderson lake (Douglas county) from September 30 to the first Sunday in March.

14. Set a minimum length restriction for walleye in Bearskull, Fisher, Owl, and Upper and Lower Springstead lakes (Iron county) of 15 inches.

15. Increase the minimum size restriction for northern pike in Silver lake (Manitowoc county) from 26 to 32 inches and reduce the daily angler bag limit from 2 to 1.

16. Correct an administrative error which improperly lists the minimum length restriction for walleye in the Wisconsin river downstream from the St. Regis dam in Rhinelander (Oneida county) as none rather than 15 inches.

17. Increase the minimum length restriction for largemouth and smallmouth bass in Burrows lake (Oneida county) from 14 inches to 18 inches, and decrease the daily angler bag limit from 5 to 1.

18. Increase the minimum length restriction for walleye in Big Round lake (Polk county) from 15 inches to 18 inches, and reduce the daily angler bag limit for walleye from 5 fish to 3 fish.

19. Replace the current 9 inch minimum length restriction for trout in Manley creek (Sauk county) with a 9 inch maximum size restriction. This rule will expire 10 years after implementation.

20. Increase the minimum size restriction for muskellunge in Big Sand, Kentuck, and Long lakes (Vilas county) from 34 inches to 50 inches.

21. Set a minimum size restriction for walleye in Dead Pike lake (Vilas county) of 18 inches, and reduce the daily angler bag limit from 5 to 3.

22. Remove the current 15 inch minimum size restriction for walleye in North Twin and South Twin lakes (Vilas county), but stipulate that walleye between 14 and 18 inches may not be kept and only 1 walleye larger than 18 inches may be part of an angler's 3 fish daily bag limit.

23. Increase the minimum length restriction for walleye in White Sand (T42 N R7E S27,) and Long lakes (Vilas county) from 15 inches to 18 inches, and reduce the daily angler bag limit for walleye from 5 fish to 3 fish, and also correct an administrative error which improperly lists the closing date of the open angling season for walleye as March 1 rather than the first Sunday in March.

24. Add Regner (Washington county) and Foxbrook (Waukesha county) ponds to the state's urban fishing program, in which there would be a continuous open season but only persons under 16 years of age or disabled pursuant to s 29.193 (3) (a), (b) or (c), Stats., may fish from the second Saturday in March to but not including the last Saturday in April, and in which persons may possess 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, and an unlimited number of rough fish.

25. Correct an administrative error regarding bag limits for walleye, sauger, and their hybrids in Lake Winnebago. Current rules allow 5 walleye and 1 sauger or walleye/sauger hybrid, but the bag limit should be 5 walleye/sauger/ hybrids in total, only 1 of which may be a sauger or walleye/sauger hybrid.

Agency Procedures for Promulgation

Public hearings, followed by Natural Resources Board adoption, followed by legislative review.

Description of any Forms (attach copies if available)

None

Name and Telephone Number of Agency Contacts

Joseph Hennessy, Treaty Fisheries Coordinator – (608) 267-9427
Tim Andryk, Bureau of Legal Services – (608) 264-9228

Submitted on February 17, 2009

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 20.20(4)(h)7. and 8.; to amend NR 19.025(3)(a) and (5)(a), 19.275(3)(a), 19.30, 20.06(10), 20.16(1)(b)2., 20.20(1)(a), (c), (cm), (d) and (h)1., 20.20(2)(bm), 20.20(2)(g)3., 20.20(3)(f)1., 20.20(26)(g)3., 20.20(29)(a), (c), (cm), (d) and (h), 20.20(32)(c), (d), and (g), 20.20(35)(a)1., (b)1., (c)1., (d)1., (g)1. (g)1g., and 1m., 20.20(37)(a), (c)1., (e)2. and (i), 20.20(42)(b), (c), and (f), 20.20(44)(a), (b)1. and (g), 20.20(49)(f)2., 20.20(50)(a), (b)1. and 3., (cm), (d)3., and (h)2., 20.20(51)(bg), 20.20(55)(bg), 20.20(57)(c), 20.20(64)(h)3. and 11., 20.20(67)(a)2., 20.20(68)(a)2., 20.20(72)(a), (c), (cm), (d) and (h)1., 20.20(73)(o)6., 24.09(1) (intro) and 24.10; and to create NR 19.27(4)(a)1.d, 20.20(7)(c)2., 20.20(16)(g)4m., 20.20(36)(am), 20.20(56)(i)5m., and 20.20(64)(d)4., relating to fishing and clamming on the inland, outlying, and boundary waters of Wisconsin.

FH-01-09

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, and 29.537, which authorizes clamming, have been interpreted as giving the department the authority to make changes to fishing and clamming regulations on inland and boundary waters of Wisconsin.

2. Statutory Authority: Sections 29.014(1), 29.039, 29.041, 29.053, 29.537 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, 29.053 and 29.537, Stats., grant rule making authority to the department to establish and maintain open and closed seasons for fish, clams and game and any bag limits, size limits, rest days and conditions governing the taking of fish, clams and game that will conserve the fish, clams, 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:

Sections 1 and 4 allow the department to conduct criminal history background checks on individuals who want to serve as department-sponsored volunteer angler education instructor or a mentor as part of a department sponsored or approved learn-to-hunt program. These instructors often and primarily serve as instructors for youth. Similar to the hunter, boater, snowmobile, ATV and trapper education volunteer instructor programs, it is important that we make sure we are not providing the opportunity for any individual who is not allowed to associate with children or who has been convicted of an illegal act involving children, from having the opportunity to work with children during the angler education programs conducted by DNR.

This proposal would also remove the condition that a mentor for fishing programs may not serve as a mentor for more than 3 anglers and clarify that the applicant, instructors and mentors need to possess a valid fishing license. Section 1 will also reduce the 30 day advanced notice for applications for fishing programs to 15 days.

Sections 2 and 3 clarify that either a small game or a fishing license is a valid approval for taking crayfish as they are the licenses most related to the activities of harvesting these species. This is similar to what is required for taking turtles.

Section 5 clarifies that any line or device used for fishing must be under the control of the angler with a tethered line that allows for the retrieval of the device and attached hook and line, and explicitly states that remote-controlled fishing devices must also be tethered or connected to a line of which the angler has control.

Section 6 removes a requirement that barbless hooks must be used during the early, catch-and-release inland trout season. Barbed hooks would be permissible, but artificial lures only would still be required.

Sections 7, 8, 15, 16, 17, 19, 20, 21, 23, 24, 25, 27 and 32 clarify the boundaries of the Wisconsin river from its origin downstream to the southern Columbia county line as “Wisconsin river, including bayous, sloughs, and flowages upstream to the first dam or highway bridge.” This wording is similar to wording currently in place for the Wisconsin river from the southern Columbia county line downstream to the mouth of the river, and affects waters in Adams, Juneau, Lincoln, Marathon, Oneida, Portage, and Wood counties. In Juneau, Lincoln, Marathon, and Portage counties additional language is used to further clarify the boundaries of the Wisconsin river and its flowages.

These sections also include similar wording for the Chippewa river, East fork of the Chippewa river, the North and South forks of the Flambeau river, LaCrosse river, Lemonweir river, and Yellow river in Ashland, Juneau, LaCrosse, Monroe, Price, Rusk, and Sawyer counties.

Section 9 sets a minimum length restriction for walleye in Upper Clam lake (Ashland county) of 15 inches.

Section 10 increases the minimum length restriction for walleye in Beaver Dam lake (Barron county) from 15 inches to 18 inches, and reduces the daily angler bag limit for walleye from 5 fish to 3 fish.

Section 11 creates an annual open season for trout in Balsam pond and Beaver, Little Star, Nymphia, and Overby (Blaisdell) lakes (Bayfield county), where the seasons in these lakes are currently closed every other year. The annual open season will be between the first Saturday in May and September 30.

Section 12 removes the 14 inch minimum length restriction for largemouth and smallmouth bass in Twenty-six lake (Burnett county).

Section 13 extends the end of open season for trout in Anderson lake (Douglas county) from September 30 to the first Sunday in March.

Section 14 sets a minimum length restriction for walleye in Bearskull, Fisher, Owl, and Upper and Lower Springstead lakes (Iron county) of 15 inches.

Section 18 increases the minimum size restriction for northern pike in Silver lake (Manitowoc county) from 26 to 32 inches and reduces the daily angler bag limit from 2 to 1.

Section 21 also corrects an administrative error which improperly lists the minimum length restriction for walleye in the Wisconsin river downstream from the St. Regis dam in Rhinelander (Oneida county) as none rather than 15 inches.

Section 21 also increases the minimum length restriction for largemouth and smallmouth bass in Burrows lake (Oneida county) from 14 inches to 18 inches, and decreases the daily angler bag limit from 5 to 1.

Section 22 increases the minimum length restriction for walleye in Big Round lake (Polk county) from 15 inches to 18 inches, and reduces the daily angler bag limit for walleye from 5 fish to 3 fish.

Section 26 replaces the current 9 inch minimum length restriction for trout in Manley creek (Sauk county) with a 9 inch maximum size restriction. This rule will expire 10 years after implementation.

Section 28 increases the minimum size restriction for muskellunge in Big Sand and Long lakes (Vilas county) from 34 inches to 50 inches.

Section 29 increases the minimum size restriction for walleye in Dead Pike lake (Vilas county) from none to 18 inches, and reduces the daily angler bag limit from 5 to 3.

Section 29 also increases the minimum length restriction for walleye in White Sand (T42 N R7E S27) and Long lakes (Vilas county) from 15 inches to 18 inches, and reduces the daily angler bag limit for walleye from 5 fish to 3 fish, and also corrects an administrative error which improperly lists the closing date of the open angling season for walleye as March 1 rather than the first Sunday in March.

Sections 30 and 31 add Regner (Washington county) and Foxbrook (Waukesha county) ponds to the state's urban fishing program, in which there is a continuous open season but only persons under 16 years of age or disabled pursuant to s. 29.193 (3) (a), (b) or (c), Stats., may fish from the second Saturday in March to but not including the last Saturday in April, and in which persons may possess 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, and an unlimited number of rough fish.

Section 33 specifies that the total daily bag limit for walleye, sauger, and walleye-sauger hybrids is 5 in lake Winnebago system waters, of which only 1 may be a sauger or hybrid.

Section 34 prohibits commercial clamming in the St. Louis River where it forms the boundary between Wisconsin and Minnesota.

Sections 34 and 35 close recreational and commercial clamming and prohibits collection of dead shells in the St. Croix river where it forms the boundary between Wisconsin and Minnesota, and prohibits collection of dead shells from waters within the St. Croix National Scenic Riverway. This standardizes rules between Wisconsin, Minnesota, and the National Park Service in these waters.

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 rule will eliminate the opportunity for commercial clamming operations in the St. Louis and St. Croix Rivers, but no individuals have been operating in these waters in more than 10 years. 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.

SECTION 1. NR 19.025(3)(a) and (5)(a) are amended to read:

(3) GENERAL; CONDITIONS, LIMITATIONS AND RESTRICTIONS.

(a) An applicant shall submit a request for a waiver at least 30 days prior to a hunting or trapping the event and 15 days before a fishing event . The department may waive the 15 day period for fishing events when the department determines it is not required to conduct criminal history, character or background checks. All applications shall be submitted on forms provided by the department.

(5) SPECIAL FISHING CONDITIONS, LIMITATIONS AND RESTRICTIONS.

(a) Except as provided in par. (b), the applicant, instructors and mentors shall possess a valid fishing approval. During the field portion of the fishing activity there may be no more than 3 novice participants per mentor.

SECTION 2. NR 19.27(4)(a)1.d is created to read:

(a) Crayfish.

1. `Prohibitions.' No person may:

d. Take, possess or control a crayfish unless the person is in possession of a valid approval which authorizes the hunting of small game or which authorize fishing, unless otherwise exempt from the need to possess one of more of these approvals to hunt or fish under ch. 29, Stats.

SECTION 3. NR 19.275(3)(a) is amended to read:

NR 19.275(3)(a)

(3) ADDITIONAL RESTRICTIONS. No person may do any of the following:

(a) Take, possess or control a turtle unless the person is in possession of a valid approval ~~issued under s. 29.624, 29.161, 29.204, 29.207, 29.231 or 29.235, Stats.,~~ which authorizes the hunting of small game, ~~or an approval issued under s. 29.624, 29.228, 29.219, 29.231, 29.235, 29.531, or 29.533, Stats.,~~ which authorize fishing, unless otherwise exempt from the need to possess one of more of these approvals to hunt or fish under ch. 29, Stats.

SECTION 4. NR 19.30 is amended to read:

NR 19.30 Criminal history checks; volunteer ~~safety~~ instructors. Whenever application is made to the department by a person interested in becoming certified to instruct as a volunteer all-terrain vehicle, boating, bow hunter, hunter education, Wisconsin cooperative trapper education program or snowmobile safety instructor, the bureau of law enforcement shall conduct a criminal history, character and background check on the applicant. Notwithstanding s. NR 19.025, the bureau of law enforcement shall conduct a background check on any person who applies to serve as an angler or aquatic education instructor, or an educational outdoor skills activity mentor. Upon becoming aware of information indicating prior illegal activity, the department shall make appropriate inquiry into criminal history and character of instructor or mentoring applicants and determine their suitability for the proposed activity.

SECTION 5. NR 20.06(10) is amended to read:

NR 20.06(10)

(10) Fish in open water with a free-floating, remote controlled or anchored buoyant device with attached hook and line that is not held or otherwise controlled by the angler with the use of a line connected to the device.

Note: This method is commonly known as jug fishing.

SECTION 6. NR 20.16(1)(b)2. is amended to read:

NR 20.16(1)(b)2.

2. No person may use any hooks, baits or lures other than artificial lures ~~with barbless hooks~~ while fishing for any species of fish on trout streams specified in par. (a).

SECTION 7. NR 20.20(1)(a), (c), (cm), (d) and (h) are amended to read:

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

(a) All species	1. Mason lake; Wisconsin river including sloughs, bayous and flowages <u>upstream to the first dam or highway bridge.</u>	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)
(c) Largemouth and smallmouth bass	1. Wisconsin river including sloughs, bayous and flowages <u>upstream to the first dam or highway bridge.</u>	a. Hook and line.	Continuous	5 in total	14
(cm) muskellunge	1. Wisconsin river including sloughs, bayous and flowages <u>upstream to the first dam or highway bridge</u> upstream from the Castle Rock dam	a. Hook and line.	First Saturday in May to November 30	1	45
(d) Northern pike	1. Wisconsin river including sloughs, bayous and flowages <u>upstream to the first dam or highway bridge.</u>	a. Hook and line	Continuous	1	32
(h) Walleye, sauger and hybrids	1. Wisconsin river including sloughs, bayous and flowages <u>upstream to the first dam or highway bridge.</u>	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

SECTION 8. NR 20.20(2) (bm) is amended to read:

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

(bm) Lake sturgeon	1. East Fork Chippewa river including sloughs, bayous and flowages <u>flowing into the Chippewa river upstream to the first highway or railroad bridge</u> , including Pelican lake, and North Fork Flambeau river including sloughs, bayous and flowages <u>flowing into the Flambeau river upstream to the first highway or railroad bridge.</u>	a. Hook and line.	First Saturday in September to September 30	1 per season	60
--------------------	--	-------------------	---	--------------	----

SECTION 9. NR 20.20(2) (g)3. is amended to read:

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

(g) Walleye, sauger and hybrids	3. Gordon lake, Lake Galilee, Upper Clam lake , Zielke lake, North Fork Flambeau river and its tributaries upstream to the first dam or lake, Mineral 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
---------------------------------	---	-------------------	--	---	------

SECTION 10. NR 20.20(3)(f)1. is amended to read:

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

(f) Walleye, sauger and hybrids	1. Red Cedar lake, Hemlock lake, <u>Beaver Dam lake</u>	a. Hook and line	First Saturday in May to the first Sunday in March	3 in total	18
---------------------------------	---	------------------	--	------------	----

SECTION 11. NR 20.20(4)(h)7. and 8. are repealed.

SECTION 12. NR 20.20(7)(c)2. is created to read:

(7) BURNETT (for species or waters not listed, see sub. (73))

c) Largemouth and smallmouth bass	2. Twenty-six lake	a. Hook and line.	First Saturday in May to the first Sunday in March	5 in total	None
-----------------------------------	--------------------	-------------------	--	------------	------

SECTION 13. NR 20.20(16)(g)4m. is created to read:

(16) DOUGLAS (for species or waters not listed, including Lake Superior, see sub. (73)). Note: Allouez bay, Little Pokegama bay, Kimballs bay and Pokegama bay are considered part of the St. Louis river, a Wisconsin-Minnesota boundary water. See chapter NR 21. The Nemadji river is an inland water that is contiguous with these Wisconsin-Minnesota boundary waters but is regulated under this subsection.

(g) Trout and salmon	4m. Anderson lake	a. Hook and line	First Saturday in May at 5:00 a.m. to the first Sunday in March	5 in total	7
----------------------	-------------------	------------------	---	------------	---

SECTION 14. NR 20.20(26)(g)3. is amended to read:

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

(g) Walleye, sauger and hybrids	3. Bearskull lake , Catherine lake, Cedar lake, Echo lake, Fisher lake , Gile flowage, Island lake, Little Oxbow lake, Lower Springstead lake , Owl lake , Oxbow lake, Pine lake, Randall lake, Sandy Beach lake, Sherman lake, Spider lake, Upper Springstead lake , North Fork Flambeau river and its tributaries, West Branch Montreal river, Turtle river upstream from Echo 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 <u>14</u>	None
---------------------------------	--	-------------------	--	--	------

SECTION 15. NR 20.20(29) (a), (c), (cm), (d) and (h) are amended to read:

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

(a) All species	1. Kilburn flowage, Wisconsin river and its sloughs, bayous and flowages <u>upstream to the first dam or highway bridge</u> , including only that portion of Castle Rock flowage south of the county highway G bridge.	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)
-----------------	--	---------------------------------	--	--	--

(c) Largemouth and smallmouth bass	<p>1. Yellow river and sloughs, bayous and flowages <u>upstream to the first dam or highway bridge</u>, Lemonweir river and sloughs, bayous and flowages <u>upstream to the first dam or highway bridge</u>, Wisconsin river and sloughs, bayous and flowages <u>upstream to the first dam or highway bridge, except the western boundary of the Wisconsin River on Lake Petenwell is County Highway G, and the western boundary of the Wisconsin river on Castle Rock lake north of county highway G is the confluence of the Yellow rivers and Castle Rock lake, and county highway G between 41st and county highway HH does not establish a boundary for Castle Rock lake.</u></p>	a. Hook and line.	Continuous	5 in total	14
(cm) Muskellunge	<p>1. Wisconsin river including sloughs, bayous and flowages, <u>upstream to the first dam or highway bridge</u> upstream from the Castle Rock dam, <u>except the western boundary of the Wisconsin River on Lake Petenwell is County Highway G, and the western boundary of the Wisconsin river on Castle Rock lake north of county highway G is the confluence of the Yellow rivers and Castle Rock lake, and county highway G between 41st and county highway HH does not establish a boundary for Castle Rock lake.</u></p>	a. Hook and line	First Saturday in May to November 30	1	45
(d) Northern pike	<p>1. Wisconsin river and its flowages <u>upstream to the first dam or highway bridge, except the western boundary of the Wisconsin River on Lake Petenwell is County Highway G, and the western boundary of the Wisconsin river on Castle Rock lake north of county highway G is the confluence of the Yellow rivers and Castle Rock lake, and county highway G between 41st and county highway HH does not establish a boundary for Castle Rock lake.</u></p>	a. Hook and line.	Continuous	1	32
	<p>2. Yellow river and sloughs, bayous and flowages, <u>upstream to the first dam or highway bridge</u>, Lemonweir river and sloughs, bayous and flowages, <u>upstream to the first dam or highway bridge.</u></p>	a. Hook and line.	Continuous	2	26

(h) Walleye, sauger and hybrids	1. Yellow river and its sloughs, bayous and flowages, <u>upstream to the first dam or highway bridge</u> Lemonweir river and its sloughs, bayous and flowages, <u>upstream to the first dam or highway bridge</u> , Wisconsin river and its sloughs, bayous and flowages, <u>upstream to the first dam or highway bridge, except the western boundary of the Wisconsin River on Lake Petenwell is County Highway G, and the western boundary of the Wisconsin river on Castle Rock lake north of county highway G is the confluence of the Yellow rivers and Castle Rock lake, and county highway G between 41st and county highway HH does not establish a boundary for Castle Rock lake.</u>	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 inches	15
---------------------------------	--	-------------------	------------	---	----

SECTION 16. NR 20.20(32) (c), (d) and (g) are amended to read:

(32) LA CROSSE (for species and waters not listed, see sub. (73))

(c) Largemouth and smallmouth bass	1. La Crosse river including sloughs and bayous <u>upstream to the first dam or highway bridge</u> from Lake Neshonoc dam downstream to the Burlington Northern and Santa Fe railroad tracks	a. Hook and line	Continuous	5 in total	14
(d) Northern pike	1. La Crosse river including sloughs and bayous <u>upstream to the first dam or highway bridge</u> from Lake Neshonoc dam downstream to the Burlington Northern and Santa Fe railroad tracks	a. Hook and line	Continuous	2	26
(g) Walleye, sauger and hybrids	1. La Crosse river including sloughs and bayous <u>upstream to the first dam or highway bridge</u> from Lake Neshonoc dam downstream to the Burlington Northern and Santa Fe railroad tracks	a. Hook and line	Continuous	5 in total	15

SECTION 17. NR 20.20(35) (a)1., (b)1., (c)1., (d)1., and (g)1., 1g. and 1m. are amended to read:

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

(a) All species	1. Spirit River flowage, Wisconsin river downstream from CTH A including sloughs, bayous and flowages <u>upstream to the first dam or highway bridge</u> , except 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)
-----------------	--	--------------------------------	--	--	--

Mohawksin

(b) Largemouth and smallmouth bass	1. Wisconsin river downstream from King's dam including sloughs, bayous, flowages <u>upstream to the first dam or highway bridge, except the boundary of the Wisconsin and Somo rivers is the Tomahawk Railway Railroad bridge on the west side of lake Mohawksin, the boundary of the Wisconsin and Tomahawk rivers is the Canadian National Railroad bridge nearest Baymill road, and the boundary of the Wisconsin and Spirit rivers is the confluence of the Spirit river with the Wisconsin river located one mile southeast of the Spirit reservoir dam</u>	a. Hook and line	Continuous	5 in total	14
(c) Muskellunge	1. Deer lake, Nokomis lake, Rice River flowage, Wisconsin river <u>including sloughs, bayous, and flowages upstream to the first dam or highway bridge</u> downstream from Merrill hydro-dam	a. Hook and line.	Saturday nearest Memorial Day to November 30	1	40
(d) Northern pike	1. Wisconsin river downstream from King's dam including sloughs, bayous, flowages <u>upstream to the first dam or highway bridge, except the boundary of the Wisconsin and Somo rivers is the Tomahawk Railway Railroad bridge on the west side of lake Mohawksin, the boundary of the Wisconsin and Tomahawk rivers is the Canadian National Railroad bridge nearest Baymill road, and the boundary of the Wisconsin and Spirit rivers is the confluence of the Spirit river with the Wisconsin river located one mile southeast of the Spirit reservoir dam</u>	a. Hook and line	Continuous	5	None
(g) Walleye, sauger and hybrids	1. Wisconsin river upstream from Grandfather dam including sloughs, bayous and flowages <u>upstream to the first dam or highway bridge, except the boundary of the Wisconsin and Somo rivers is the Tomahawk Railway Railroad bridge on the west side of lake Mohawksin, the boundary of the Wisconsin and Tomahawk rivers is the Canadian National Railroad bridge nearest Baymill road, and the boundary of</u>	a. Hook and line	Continuous	5 in total	15

the Wisconsin and Spirit rivers is the confluence of the Spirit river with the Wisconsin river located one mile south of the Spirit river dam.

1g. Wisconsin river upstream from Kings dam including sloughs, bayous and flowages <u>upstream to the first dam or highway bridge</u>	a. Hook and line	First Saturday in May to the first Sunday in March	5 in total	15
1m. Wisconsin river downstream from Grandfather dam including sloughs, bayous and flowages <u>upstream to the first dam or highway bridge.</u>	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 <u>inches</u>	15

SECTION 18. NR 20.20(36)(am) is created to read:

(36) MANITOWOC (for species or waters not listed, including Lake Michigan and its tributaries, see sub. (73))

(am) Northern pike	1. Silver lake	a. Hook and line.	First Saturday in May to the first Sunday in March	1 in total	32
--------------------	----------------	-------------------	--	------------	----

SECTION 19. NR 20.20 (37)(a), (c)1., (e)2., and (i) are amended to read:

(37) MARATHON (for species and waters not listed, see sub. (73))

(a) All species	1. Big Eau Pleine reservoir upstream to the first state hwy. 153 bridge, Wisconsin river including sloughs, bayous and flowages <u>upstream to the first dam or highway bridge, except the eastern boundary of the Wisconsin River and Peplin and Johnson Creeks and the Little Eau Claire River, at Lake DuBay, is the South-Bound Lane of Interstate 39.</u>	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)
(c) Largemouth and smallmouth bass	1. Wisconsin river including all sloughs, bayous and flowages <u>upstream to the first dam or highway bridge, except the eastern boundary of the Wisconsin River and Peplin and Johnson Creeks and the Little Eau Claire River, at Lake DuBay, is the South-Bound Lane of Interstate 39.</u>	a. Hook and line	Continuous	5 in total	14
(e) Northern pike	2. Wisconsin river including all sloughs, bayous and flowages <u>upstream to the first dam or highway</u>	a. Hook and line	Continuous	5	None

bridge, except the eastern boundary of the Wisconsin River and Peplin and Johnson Creeks and the Little Eau Claire River, at Lake DuBay, is the South-Bound Lane of Interstate 39.

i) Walleye, sauger and hybrids	1. Wisconsin river including <u>all sloughs, bayous and flowages upstream to the first dam or highway bridge, except the eastern boundary of the Wisconsin River and Peplin and Johnson Creeks and the Little Eau Claire River, at Lake DuBay, is the South-Bound Lane of Interstate 39.</u>	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
--------------------------------	--	-------------------	------------	--	----

SECTION 20. NR 20.20(42) (b), (c) and (f) are amended to read:

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

(b) Largemouth and smallmouth bass	1. Lemonweir river including all connecting flowages, bays, sloughs and bayous <u>upstream to the first dam or bridge or water control structure,</u> east fork Lemonweir river upstream to highway 173 bridge, south fork Lemonweir river upstream to Tomah dam	a. Hook and line.	Continuous	5 in total	14
(c) Northern pike	1. Lemonweir river including all connecting flowages, bays, sloughs and bayous <u>upstream to the first dam or bridge or water control structure,</u> east fork Lemonweir river upstream to highway 173 bridge, south fork Lemonweir river upstream to Tomah dam	a. Hook and line.	Continuous	2	26
(f) Walleye, sauger and hybrids	1. Lemonweir river including all connecting flowages, bays, sloughs and bayous <u>upstream to the first dam or bridge or water control structure,</u> east fork Lemonweir river upstream to highway 173 bridge, south fork Lemonweir river upstream to Tomah dam	a. Hook and line.	Continuous	5 in total but until March 31, 2007 none may be from 20 to 28 and only 1 may be > 28	15

SECTION 21. NR 20.20(44)(a), (b)1., and (g), as amended by Clearinghouse Rule 09-010, are amended to read:

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

(a) All species	1. Columbus lake, Rainbow flowage, Sugar Camp lake, Thunder lake and	a. Motor trolling is	As specified in this	As specified in this	As specified in this
-----------------	--	----------------------	----------------------	----------------------	----------------------

	Willow flowage	permitted	subsection or sub. (73)	subsection or sub. (73)	subsection or sub. (73)
-	1. Wisconsin river and sloughs, bayous and flowages upstream to the first high dam or highway bridge, downstream from the St. Regis dam in Rhinelander	a. Hook and line.	Continuous	5 in total	14
(b) Largemouth and smallmouth bass	1. Bearskin lake, Crescent lake, Pelican lake, Stella lake, <u>Burrows 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	Third Saturday in June to the first Sunday in March
(g) Walleye, sauger and hybrids	1. Wisconsin river and sloughs, bayous and flowages upstream to the first dam or highway bridge, downstream from the St. Regis dam in Rhinelander	a. Hook and line.	First Saturday in May to the first Sunday in March	5 in total	None, pursuant to s. NR 20.35-15
	2. 1. Three lakes chain (includes Big, Big Fork, Big Stone, Crystal, Deer, Dog, Fourmile, Island, Laurel, Little Fork, Long, Medicine, Moccasin, Planting Ground, Rangeline, Round, Spirit, Townline, Virgin and Whitefish lakes, all connecting waters and Eagle river downstream to Vilas county line)	a. Hook and line.	First Saturday in May to the first Sunday in March	3 in total but only 1 may be longer than 18 <u>inches</u>	None except the possession of fish from 14 through 18 is prohibited
	3. 2. Alva, Bearskin, Buckskin, Buffalo, Crescent, Diamond, George, Hasbrook, Katherine, Lost (T38N R9E S24), Mercer, Moen chain including Moen, Second, Third, Fourth, Fifth lakes and connecting waters, Muskellunge, Oneida, Pine (T37N R9E S4), Sevenmile, Soo, Squash and Squirrel lakes and Sugar Camp chain including Dam, Sand, Echo, Chain and Stone (T39N R9E S32) lakes and connecting waters	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 <u>inches</u>	None
	4. 3. Maple lake, Stella lake, Thunder lake	a. Hook and line.	First Saturday in May to the first Sunday in March	3 in total	18

<p>5. 4. Shishebogama lake</p>	<p>a. Hook and line.</p>	<p>First Saturday in May to the first Sunday in March</p>	<p>3 in total posted at public boat landings pursuant to s. NR 20.37</p>	<p>18 unless otherwise posted at public boat landings pursuant to s. NR 20.37</p>
---	--------------------------	---	--	---

SECTION 22. NR 20.20(49)(f)2. is created to read:

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

<p>(f) Walleye, sauger and hybrids</p>	<p>2. Big Round lake</p>	<p>a. Hook and line</p>	<p>First Saturday in May to the first Sunday in March</p>	<p>3</p>	<p>18</p>
--	--------------------------	-------------------------	---	----------	-----------

SECTION 23. NR 20.20(50)(a), (b)1. and 3., (cm), (d)3. and (h)2. are amended to read:

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

<p>(a) All species</p>	<p>1. Little Eau Pleine flowage upstream to the first county hwy. O bridge, Wisconsin river including sloughs, bayous and flowages <u>upstream to the first dam or highway bridge, except that the eastern boundary of the Wisconsin River and the Little Eau Claire River, at Lake DuBay, will be defined by the South-Bound Lane of Interstate 39.</u></p>	<p>a. Motor trolling is permitted</p>	<p>As specified in this subsection or sub. (73)</p>	<p>As specified in this subsection or sub. (73)</p>	<p>As specified in this subsection or sub. (73)</p>
<p>(b) Largemouth and smallmouth bass</p>	<p>1. Wisconsin river including sloughs, bayous and flowages <u>upstream to the first dam or highway bridge</u> from Stevens Point Flowage dam to Al-Tech Park spillway</p>	<p>a. Hook and line</p>	<p>Continuous</p>	<p>1 in total</p>	<p>18</p>
	<p>3. Bass lake, Pleasant lake, portions of the Wisconsin river not listed in this paragraph, including sloughs, bayous and flowages</p>	<p>a. Hook and line</p>	<p>Continuous</p>	<p>5 in total</p>	<p>14</p>

upstream to the first dam or highway bridge except that the eastern boundary of the Wisconsin River and the Little Eau Claire River, at Lake DuBay, will be defined by the South-Bound Lane of Interstate 39

(cm) Muskellunge	<p>1. Wisconsin river including sloughs, bayous and flowages <u>upstream to the first dam or highway bridge, except that the eastern boundary of the Wisconsin River and the Little Eau Claire River, at Lake DuBay, will be defined by the South-Bound Lane of Interstate 39, north of U.S. hwy. 10.</u></p>	a. Hook and line	Saturday nearest Memorial Day to November 30	1	45
	<p>2. Wisconsin river including sloughs, bayous and flowages <u>,upstream to the first dam or highway bridge, south of U.S. hwy. 10.</u></p>	a. Hook and line	First Saturday in May to November 30	1	45
(d) Northern pike	<p>3. Wisconsin river downstream from the Lake DuBay dam including all sloughs, bayous and flowages <u>upstream to the first dam or highway bridge, except that the eastern boundary of the Wisconsin River and the Little Eau Claire River, at Lake DuBay, will be defined by the South-Bound Lane of Interstate 39.</u></p>	a. Hook and line	Continuous	1	32
(h) Walleye, sauger and hybrids	<p>2. Wisconsin river including sloughs, bayous and flowages <u>upstream to the first dam or highway bridge except that the eastern boundary of the Wisconsin River</u></p>	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 inches	15

and the Little Eau Claire River, at Lake DuBay, will be defined by the South-Bound Lane of Interstate 39.

SECTION 24. NR 20.20(51)(bg) is amended to read:

(51) PRICE (for species or waters not listed, see sub. (73))

(bg) Lake sturgeon	1. Butternut lake, North Fork Flambeau river including sloughs, bayous and flowages <u>upstream to the first dam or highway bridge, South Fork Flambeau river including sloughs, bayous and flowages <u>upstream to the first dam or highway bridge,</u></u> Jump river downstream from the confluence of the north and south forks.	a. Hook and line. Tag required (see s. NR 20.07).	First Saturday in September to September 30	1 per season	60
--------------------	--	---	---	--------------	----

SECTION 25. NR 20.20(55)(bg) is amended to read:

(55) RUSK (for species or waters not listed, see sub. (73))

(bg) Lake sturgeon	1. Chippewa river including sloughs, bayous and flowages <u>upstream to the first dam or highway bridge,</u> Jump river, South Fork Flambeau river	a. Hook and line. Tag required (see s. NR 20.07).	First Saturday in September to September 30	1 per season	60
--------------------	--	---	---	--------------	----

SECTION 26. NR 20.20(56)(i)5m. is created to read:

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

(i) Trout and salmon	5m. Manley creek	a. Hook and line	First Saturday in May at 5:00 a.m. to September 30	5 in total	None, but fish larger than 9 inches may not be possessed until May 2, 2020, when the minimum size restriction reverts to 9
----------------------	------------------	------------------	--	------------	--

SECTION 27. NR 20.20(57)(c) is amended to read:

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

(c) Lake sturgeon	1. Chippewa river including Radisson flowage and <u>all tributaries upstream to the first dam or lake,</u> East Fork Chippewa river including Blaisdell lake, Hunter lake, and Barker lake <u>and all tributaries upstream to the first dam or lake,</u> West Fork	a. Hook and line.	First Saturday in September to September 30	1 per season	60
-------------------	--	-------------------	---	--------------	----

Chippewa river downstream from the Moose lake dam including Chippewa flowage and all tributaries upstream to the first dam or lake, North Fork Flambeau river and all tributaries upstream to the first dam or lake, South Fork Flambeau river and all tributaries upstream to the first dam or lake.

SECTION 28. NR 20.20(64)(d)4. is created to read:

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

(d) Muskellunge	4. Big Sand and Long lakes	a. Hook and line	Saturday nearest Memorial day to November 30	1	50
-----------------	----------------------------	------------------	--	---	----

SECTION 29. NR 20.20(64)(h)3., 4. and 11. are amended to read:

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

(h) Walleye, sauger and hybrids	3. Anvil, Big Portage, Forest, Lost Canoe, <u>and Plum and White Sand (T42N R7E S27) lakes, Vilas county</u>	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 <u>inches</u>	None except the possession of fish from 14 through 18 is prohibited
---------------------------------	--	-------------------	--	---	---

4. Alder, Averill, Big (T42N R6E S4), Big Arbor Vitae, Big Muskellunge, Birch, Boulder, Buckskin, Clear, Crab, ~~Dead Pike~~, Emily, Fawn (T42N R5E S11), Fishtrap, Harris, High, Kentuck, Ike Walton, Island, Laura, Little Arbor Vitae, Little Star, Manitowish, North Crab, North Turtle, Oxbow, Presque Isle, Rest, Rock, Rush, South Turtle, Spider, Squaw, Star, Stone, Van Vliet and Wild Rice 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 14 <u>inches</u>	None
-------------------	--	---	------

11. Found lake, Long, Dead Pike, and White Sand (T42 N R7E S27) lakes

a. Hook and line.	First Saturday in May to March 1 <u>the first Sunday in March</u>	3 in total	18
-------------------	--	------------	----

SECTION 30. NR 20.20(67)(a)2. is amended to read:

(67) WASHINGTON (for species or waters not listed, see sub. (73))

(a) All species	2. The following posted urban waters: Boot lake, Hartford millpond from the dam upstream to Marine drive, Homestead Hollow park pond,	a. Hook and line.	Continuous but only persons under 16 years of	1 largemouth bass, smallmouth bass, northern	None
-----------------	---	-------------------	---	--	------

Kewaskum millpond from the dam upstream to STH 28, Sandy Knoll park pond, Wells lake from the dam upstream to the first dam on Silver creek, Regner pond

age or disabled pursuant to s 29.193 (3) (a), (b) or (c), Stats., may fish from the second Saturday in March to but not including the last Saturday in April

pike, walleye, sauger or hybrid in total; 10 panfish and bullheads in total; 3 trout and salmon in total; none for rough fish

SECTION 31. NR 20.20(68)(a)2. is amended to read:

(68) WAUKESHA (for species or waters not listed, see sub. (73))

(a) All species	2. The following posted urban waters: Calhoun park pond, Heyer park pond north, Heyer park pond south, Lepper Dam millpond from the dam upstream to Roosevelt drive, Lions-Overland park pond, Menomonee park pond, Minooka park pond, Muskego park pond, Nixon park pond, Regal park pond, Woodfield park pond north, Woodfield park pond south, <u>Foxbrook pond</u>	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 from the second Saturday in March to but not including the last Saturday in April	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	None
-----------------	--	-------------------	--	--	------

SECTION 32. NR 20.20(72)(a), (c), (cm), (d) and (h)1. are amended to read:

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

(a) All species	1. Wisconsin river including <u>all</u> sloughs, bayous and flowages <u>upstream to the first dam or highway bridge.</u>	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)
(c) Largemouth and smallmouth bass	1. Yellow river including all sloughs, bayous and flowages <u>upstream to the first dam or highway bridge</u> from the highway 54 dam at Dexterville downstream, Wisconsin river including all sloughs, bayous and flowages <u>upstream to the first dam or highway bridge.</u>	a. Hook and line.	Continuous	5 in total	14

(cm) Muskellunge	1. Wisconsin river including <u>all</u> sloughs, bayous and flowages <u>upstream to the first dam or highway bridge.</u>	a. Hook and line.	First Saturday in May to November 30	1	45
(d) Northern pike	1. Wisconsin river including all sloughs, bayous and flowages <u>upstream to the first dam or highway bridge</u>	a. Hook and line.	Continuous	1	32
	2. Yellow river including all sloughs, bayous and flowages <u>upstream to the first dam or highway bridge</u> , from the highway 54 dam at Dexterville downstream	a. Hook and line.	Continuous	2	26
(h) Walleye, sauger and hybrids	1. Yellow river including all sloughs, bayous and flowages <u>upstream to the first dam or highway bridge</u> from the highway 54 dam at Dexterville downstream, Wisconsin river including all sloughs, bayous and flowages <u>upstream to the first dam or highway bridge.</u>	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 <u>inches</u>	15

SECTION 33. NR 20.20(73)(o)6. is amended to read:

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

(o) Walleye, sauger and <u>walleye-sauger</u> hybrids	6. Lake Winnebago system waters	a. Hook and line.	Continuous	5 walleye, 1 sauger and hybrids <u>in total, but only 1 may be a sauger or walleye-sauger hybrid</u>	None
---	---------------------------------	-------------------	------------	---	------

SECTION 34. NR 24.09(1) (b) is amended to read:

NR 24.09 Commercial clamming: size limits; open seasons, species and waters.

(1) Except as provided in subs. (2) and (3), no person may engage in commercial clam shelling except between sunrise and sunset during the open season in waters which are open to commercial clam shelling, for clams of a species which is open to commercial clam shelling and which are of the minimum size or larger, as shown in the following table:

Waters Open to Commercial Clam Shelling	Open Season	Open Species	Minimum Size
---	-------------	--------------	--------------

(b) Wisconsin-Minnesota boundary waters except Lake St. Croix, the St. Croix river, and the St. Louis river	No open season	mapleleaf (<i>Quadrula quadrula</i>)	2-3/4"
		pigtoe (<i>Fusconaia flava</i>)	2-3/4"
		pimpleback (<i>Quadrula pustulosa</i>)	2-3/4"
		threeridge (<i>Amblyma plicata</i>) <u>None</u>	3"

SECTION 35. NR 24.10 is amended to read:

NR 24.10 Clamming: size limits; open seasons, species and waters. No person may engage in clamming except between sunrise and sunset during the open season in waters which are open to clamming, for clams of a species which is open to clamming and which are of the minimum size or larger, as shown in the following table:

Waters Open to Clamming	Open Season	Open Species	Minimum Size
All boundary and outlying waters, <u>except the St. Croix River where it forms the boundary between Wisconsin and Minnesota</u>	all year	all except those listed in s. NR 27.03 (2) (g) or (3) (g)	None
<u>St. Croix River where it forms the boundary between Wisconsin and Minnesota</u>	<u>No open season</u>	<u>None, and collection of dead shells is prohibited</u>	<u>None</u>
All inland waters	No open season	None. However, dead shells that are not from endangered or threatened clams may be collected, <u>except that collection of all dead shells is prohibited in all waters within the St. Croix National Scenic Riverway</u>	None

SECTION 36. EFFECTIVE DATE. This rule shall take effect April 1, 2010 except Sections 1, 2, 3, 4, 5, 6, 30, 31, 34 and 35, 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 37. 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 _____
Matthew J. Frank, Secretary

(SEAL)