Guide to Wisconsin

Setline, Set and Bank Pole Regulations

2013-2014

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Guide to Wisconsin Setline, Set and Bank Pole Regulations 2013-2014

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This document is an interpretive summary of Wisconsin's spearing and netting regulations. For complete laws, consult Wisconsin State Statutes Chapter 29 and the Administrative Code of the DNR .

SET or BANK POLE and SETLINE LICENSES

A **set or bank pole** is defined as a pole equipped with one line and a maximum of two hooks that is fished from the bank of a lake or river. In this case, a "pole" is a long, cylindrical rod and does not include tree branches or dead falls.

A set or bank pole license authorizes the use of up to 5 set or bank poles.
Set or bank pole licenses are $3.00 and include 5 tags.

A **setline** is a staked line equipped with no more than 25 hooks.
A setline license authorizes the use of **one** setline.
A setline license is $11.00 for license and 25 cents for the tag.

Please Note: Special rules apply to use and number of hooks and lines on the WI/MN and WI/IA boundary waters (see pages 6-13)

General Restrictions

- No one can use or possess a set or bank pole or setline unless they have a license and comply with the regulations for that particular gear.
- Licenses are only available to residents of Wisconsin.
- License and tags can be purchased from either a DNR Service Center or at selected Automated License Issuance System (ALIS) vendors. Check the DNR website (dnr.wi.gov) for the agents who issue these licenses and tags.
- Up to 12 tags may be issued for setlines used on WI/IA and WI/MN boundary waters, but not more than 8 setlines may be used on WI/MN boundary waters.
- Only one setline may be used on all other waters combined.
- Licenses are effective April 1 to March 31 of the following year.
- No one can use, tend, or operate a set or bank pole or setline that is licensed to somebody else. Tagging a setline, set or bank pole with multiple tags is not allowed.

- You may not possess sport angling equipment while setting, lifting, or attending a set or bank pole or setline.

- Set or bank poles and setlines are passive gears that, once deployed, can fish without the angler being present, but must be checked daily (see page 3 for details).

- Set or bank poles and setlines may only be used to catch catfish, rough fish, and turtles during the open season.

- Set or bank poles and setlines may only be used on waters open to the use of these specially licensed gear. See page 6 for open waters.

Definitions

Minnows includes a sucker not listed as endangered or threatened species, central mudminnow, tadpole madtom, stonecat, banded killifish, blackstripe topminnow, brook silverside, brook stickleback, ninespine stickleback, trout-perch, darter, log perch, sculpin. "Minnow" includes any minnow family cyprinid that is not listed as endangered or threatened and that is not a goldfish, Asiao carp, common carp, or rudd.

Rough fish includes suckers not listed as endangered or threatened species, common carp, Asian carp (silver, bighead, grass and black), goldfish, redhorse, freshwater drum, burbot, bowfin, garfish, buffalo fish, lamprey, alewife, gizzard shad, smelt, goldeye, mooneye, carpsucker, quillback, and chubs in inland waters only.

Tag Requirements

- A metal tag stamped with the authorizing license number must be securely attached directly to the flag staff or pole of each set or bank pole and setline.

- No person may mark or tag a setline, set or bank pole with their license number or metal tag if the setline, set or bank pole is already marked or tagged by another angler.

Lines and Hooks

Gap is measured from the junction of the barb across to the opposite shank.

- Hooks on set or bank poles and setlines must have a gap no smaller than 3/4".
- A set or bank pole cannot be equipped with more than one line which can't have more than two hooks. Hooks can not be smaller than 3/0.

- A setline cannot have more than 25 hooks. (see page 11 for the number of hooks allowed on WI/IA and WI/MN boundary waters).

Bait

- Because of the threat of the fish disease, Viral Hemorrhagic Septicemia or VHS, minnows can not be harvested from VHS infected waters. Minnows harvested outside of VHS infected waters can only be used on the water they came from. You can not move live fish away from a waterbody except minnows purchased from a licensed Wisconsin bait dealer. Check the DNR website - dnr.wi.gov - for the latest VHS and bait use information.

- There is no restriction on the type of bait that can be used, except live crayfish and whole or live fish less than 5 inches cannot be used on any inland water and frogs and gamefish may not be used as bait on the Mississippi River.

- Whole or live fish cannot be used on lakes Butte des Morts, Little Butte des Morts, Winnebago and Winneconne, Winnebago County, Poygan in Waushara and Winnebago counties, and the Black River in Jackson, La Crosse, and Trempeleau counties.

Frequency of Lifting/Hours of Use

- Each set or bank pole and setline must be lifted and the catch removed at least once each day following the day it was set (unless a longer period is authorized on boundary waters or by the Department or its agents).

- No one can set, attend, or lift a set or bank pole or setline between one-half hour after sunset and one-half hour before sunrise.

• No person may place, use, or set or fail to remove a set or bank pole, setline, or any part thereof, from state lands or waters of the state during the closed season for use of set or bank poles and setlines.

Length, Bag, and Possession Limits

• The general inland water length, bag, and possession limits for rough fish, turtles and channel and flathead catfish apply to people who fish with a set or bank pole or setline except in Winnebago System Waters which includes Poygan, Winneconne, Butte des Morts, and Winnebago and all their tributaries from their mouths upstream to the first dam including the Fox river from Lake Winnebago upstream to the dam above Princeton and all its tributaries from their mouths upstream to the first dam; the Wolf river from its mouth upstream to the dam in the city of Shawano and all its tributaries from their mouths upstream to the first dam including Cincoe lake, Partridge Crop lake and Partridge lake in Calumet, Fond du Lac, Green Lake, Marquette, Outagamie, Shawano, Waupaca, Waushara and Winnebago counties. In these waters, there is no bag limit on channel catfish and the total daily bag limit for flathead catfish is 1 with a possession limit of 2 taken by set or bank pole or by setlines. The minimum length limit on flathead catfish is 30 inches and no fish 36 to 42 inches may be kept.

Sale of Fish and Turtles ; Release of Game Fish

• Channel catfish taken on set or bank pole and setline can be sold only if taken from the following waters: Lake Winnebago, Butte des Morts, Winneconne, Poygan, and the Wolf River from 500 ft. below the Shawano Dam downstream to its mouth. Flathead catfish taken on a set or bank pole and setline on these waters CANNOT be sold.

• Any catfish that is a commercial fish as described on pages 13-16 and taken on commercial gear may be sold.

• Rough fish taken on a set or bank pole or setline can be sold from any waters where such fishing is permitted.

• Turtles taken on a set or bank pole or setline can only be sold dead and only during the open season for turtles.

• Except for catfish taken in compliance with the regulations, all other game fish taken by set or bank pole or setline must be immediately returned to the water.

Turtles

• The season for turtles is July 15 to November 30. Turtles may only be sold dead and only during the open season.

• The bag and possession limit is 3 snapping turtles, 3 softshell turtles, and 5 in total of all other species (not threatened or endangered).

• Snapping turtles must have a shell length that is between 12 to 16 inches from front to back .

Setline, Set and Bankpole Flagging and Marking

• Any one using a setline, set or bank pole must place a white flag 10 inches square (or larger) on a staff or pole 3 feet or more above the surface of the water or bank. The flag cannot be placed in the main channel of a navigable waterway.

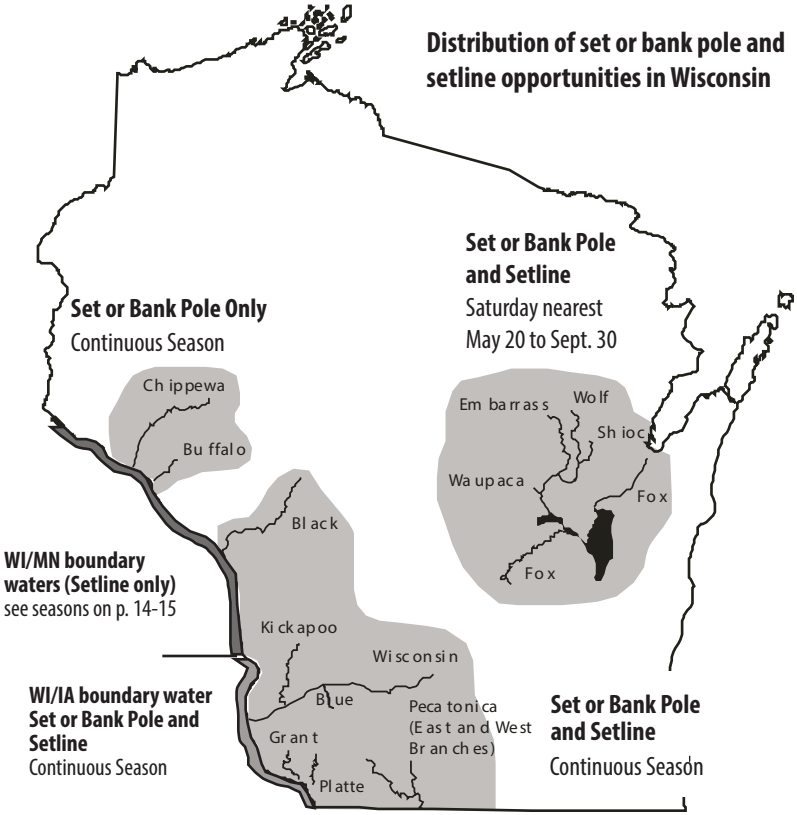
• The flag must be numbered with figures that are at least 3 inches high and that correspond to the license number authorizing the use of the setline, set or bank pole.

• The flag staff or pole cannot be more than 2-1/2 inches in diameter and the portion of the pole extending above the water or bank must be banded with horizontal, alternate black and white markings of 2 inches to 6 inches wide.

• When a buoy is used to hold the setline's flag staff or pole, the buoy must be cylindrical in shape, have a diameter of 15 inches or less, and be banded with horizontal, alternate black and white markings of 2 inches to 6 inches.

• On the lower Wisconsin River, setlines must be marked as defined above, but set or bank poles need not be marked with a flag or with black and white bands.

WATERS OPEN TO SET or BANK POLES and SETLINES



From the Saturday nearest May 20 to September 30 of each year, set or bank pole and setlines can be used in the following waters:

- Embarrass River beginning 500 feet below the dam at Pella in Shawano Co. downstream to the Wolf River, Waupaca Co.

- Fox River 500 feet above the first dam upstream from Princeton to Wicks Landing at Fox River Drive (Green Lake and Marquette counties), from 500 feet below the first dam upstream from Princeton, Green Lake Co. downstream to 500 feet above the Eureka Dam, Winnebago Co., from 500 feet below the Eureka Dam,

downstream to Lake Butte des Morts in Winnebago Co. and from Lake Butte des Morts in Winnebago Co. downstream to the dam in the city of DePere, Brown Co.

- Lakes Butte des Morts, Little Butte des Morts, Winnebago Calumet, Fond du Lac, and Winnebago Co., and Winneconne, Winnebago Co. and Lake Poygan, Waushara and Winnebago counties.

- Shioc River, Outagamie Co.

- Waupaca River beginning 500 feet below the dam at Weyauwega, Waupaca Co., downstream to the Wolf River, Waupaca Co.

- Wolf River from 500 feet below the dam at Shawano, Shawano Co. downstream to its mouth, Winnebago Co.

There is a continuous open season for set or bank pole and setline fishing in the following waters:

- Black River from US Hwy 12 bridge in Black River Falls, Jackson Co., downstream to the Burlington Northern railroad tracks, La Crosse Co.

- Blue River from the State Hwy 133 bridge, Grant Co., downstream to the Wisconsin River.

- Grant River from Porters Bridge on State Hwy 35 downstream to the Burlington Northern Railroad tracks, Grant Co.

- Kickapoo River from 200 feet below the Gays Mills Dam, Crawford Co., downstream to the Wisconsin River

- Pecatonica River in Green and Lafayette counties and the West Branch (downstream from US Hwy 51) and the East Branch of the Pecatonica in Lafayette County.

- Platte River from the State Hwy 81 bridge downstream to the Burlington Northern Railroad tracks, Grant Co.

- Lower Wisconsin River from the Chicago, Milwaukee, St. Paul, and Pacific railroad tracks, Sauk Co., downstream to the Burlington Northern Railroad tracks, Grant Co.

Waters Open to Set or Bank Pole Fishing Only

There is a continuous open season for set or bank pole fishing in the following waters:

- Buffalo River from State Hwy 37 bridge downstream to the Burlington Northern Railroad tracks, Buffalo Co.

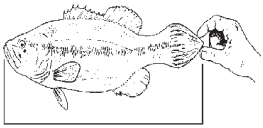
- Chippewa River from the dam in Eau Claire, Eau Claire Co., downstream to the Burlington Northern Railroad tracks, Buffalo Co.

Support Ethical Responsible Fishing • Report Violations
CALL 1-800-TIP-WDNR (1-800-847-9367)
or #367 from your cell phone (free for U.S. Cellular customers)
Toll Free • Statewide • 24-Hour • Confidential
(This is NOT an information number)
To email a report of violation not in progress:
le.hotline@dnr.state.wi.us

Text a tip to 847411 - available from 7 am to 10 pm
(standard rates apply)

SET or BANK POLE and SETLINE REGULATIONS for the WISCONSIN/IOWA BOUNDARY WATERS and SETLINE REGULATIONS for the WISCONSIN/MINNESOTA BOUNDARY WATERS

Definitions



Length of fish is, unless otherwise specified that distance measured in a straight line from the tip of the snout to the outermost end of the tail with the tail compressed.

Dressed fish are fish with the head and viscera removed but the tail on.

Minnows includes a sucker not listed as endangered or threatened species, central mudminnow, tadpole madtom, stonecat, banded killifish, blackstripe top-minnow, brook silverside, brook stickleback, ninespine stickleback, trout-perch, darter, log perch, sculpin. "Minnow" includes any minnow family cyprinid that is not listed as endangered or threatened and that is not a goldfish, grass carp, common carp, or rudd.

Rough fish includes suckers, common carp, Asian carp (silver, bighead, grass and black), goldfish, redhorse, freshwater drum, burbot, bowfin, garfish, buffalo fish, Lamprey, alewife, gizzard shad, smelt, goldeye, mooneye, carpsucker, quillback, and chubs in inland waters only.

Commercial fishing gear is that equipment specifically authorized for use in commercial fishing by commercial anglers under a commercial fishing license.

Commercial fishing licenses include commercial net licenses and setline but not set or bank pole licenses.

Commercial fishing operation means fishing under the authority of any commercial fishing license.

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General Restictions for both Wisconsin/Iowa and Wisconsin/Minnesota Boundary Waters

• No person may conduct commercial fishing operations unless he or she has first obtained the appropriate license. A commercial angler shall carry each license with him or her at all times while engaged in any part of commercial fishing and shall exhibit the license to the department or its wardens on demand.

• A setline license purchased for use on the WI/IA or WI/MN boundary waters is considered commercial gear. Reports must be submitted monthly, regardless-whether fish are sold.

• All game fish that are not commercial fish and all fish that are listed in ch. NR 27 as endangered or threatened species that are taken with a setline or set or bank pole shall be immediately returned to the water with as little injury as possible as soon as they appear in the operation.

• There are no bag limits for any commercial species other than those expressly provided.

• Improperly placed or tagged commercial fishing gear is a public nuisance and will be seized and held by the department subject to order of the court.

• No licensed commercial angler or any member of his or her crew or any person with the commercial angler or crew may possess any game fish that are not commercial fish while operating commercial gear on the ice or in the open waters of the state or when traveling to or from the operation of the gear.

• No person may possess or control commercial fishing gear not authorized for use in the boundary waters while on the ice or the open waters of the state or while engaged in a fishing operation involving those waters.

• All anglers who hold a setline license shall complete and submit monthly reports on forms available from the department. All reports shall be submitted to the department by the 10th of the month following each month the commercial

angler is required to be licensed. Each commercial angler shall report all fish and fish eggs sold or kept, the buyer's name, address, and phone number, and all other information requested on the form. Each monthly report shall be signed by the commercial angler.

• Commercial fish taken by commercial gear pursuant to this chapter may be sold only by the licensed commercial angler whose gear was used to take the fish. A commercial angler may not sell fish taken under the authority of another angler's license, unless he or she sells the other angler's fish under the authority of a wholesale fish dealers license.

• A $50 shovelnose sturgeon harvest permit is required to harvest shovelnose sturgeon with commercial fishing gear on the WI/IA and WI/MN boundary waters. The harvest permit application form (9200-020) can be obtained by searching for "Mississippi River Net License Application" at dnr.wi.gov.

• It is illegal to remove the eggs from any commercial fish species while on the water. Fish must be remain intact until they reach the final processing facility or the commerical anglers place of business.

• The department or its agents may require any operator of any commercial fishing gear to cease the fishing operations when the department finds these operations are destructive to game fish or they will endanger any other species of wild animal.

• The department by its agents, employees or wardens may in the absence of the licensee, at any time, raise any commercial fishing gear with as little damage as may be necessary for inspection.

• On WI/IA boundary waters, each setline licensee is limited to 12 setlines with not to exceed a total of 50 hooks on each line or 6 setlines with not to exceed 100 hooks on each line.

• On WI/MN boundary waters, each setline licensee is limited to 8 setlines with not to exceed a total of 50 hooks on each line or 4 setlines with not to exceed 100 hooks on each line.

• No person may use frogs or game fish (includes panfish), whether dead or alive, or any part of a frog or game fish as bait on a setline or set or bank pole in the Mississippi river.

• Setlines shall be marked by a metal tag which is stamped to designate the number of the license issued to the commercial angler using the setline. The tag shall be attached to the buoy or staff at one end of the setline so that the tag will be visible above the surface of the water. Metal identification tags will be furnished by the department at a cost of 25 cents per tag at time of purchase of the license.

• Setlines and set or bank poles set in open water shall be lifted and all fish removed at least once each day following the day set.

• Setlines and set or bankpoles may not be set, lifted, hauled or operated in any manner between one-half hour after sunset and one hour before sunrise without prior permission of the department. NOTE: Contact a local department conservation warden or fisheries biologist to request prior permission.

• Turtles may not be taken by set or bank poles and setlines on the WI/IA and WI/MN boundary waters.

WISCONSIN-MINNESOTA BOUNDARY WATERS

Definitions

Wisconsin/Minnesota Boundary Waters for the purpose to taking turtles and commercial fishing, means all waters from the Burlington Northern Santa Fe railroad tracks on the east side of the Mississippi River and from the east bank of the St. Croix River in Wisconsin, extending west to the state line between Wisconsin and Minnesota.

For sport fishing purposes, Wisconsin/Minnesota boundary waters means all waters of the Mississippi River, Lake St. Croix, the St. Croix River from the Burlington Northern and Santa Fe railroad bridge at Prescott, as far in a northerly direction as the St. Croix River forms and acts as boundary waters between the states of Wisconsin and Minnesota, and the St. Louis River from the north—south Wisconsin— Minnesota boundary line downstream to the Lake Superior beach line in the Superior entry including St. Louis Bay, Superior Bay, Little Pokegama Bay, Pokegama Bay upstream to highway 105, Kimballs Bay, Howard Bay, Allouez Bay and all other bays connected to the St. Louis River.

Commercial fish include species of rough and detrimental fish and the following species: Shovelnose (hackleback) sturgeon 25 inches and over in length taken only on setline, catfish fifteen (15) inches or over in length in the round or 12 inches dressed and bullheads of any length when taken with commercial fishing gear under a commercial fishing license on the Mississippi River.

NOTE: On the Wisconsin/Minnesota boundary waters, shovelnose sturgeon taken on setlines are measured from the tip of the snout to the outermost end of the tail when fully extended.

Commercial fish other than rough fish may only be taken for sale by persons who possess a commercial fishing license and use specified commercial fishing gear on the Mississippi river. Only rough fish may be taken for sale on other Wisconsin-Minnesota boundary waters.

Boundary Water Restriction. For the purpose of fishing under a commercial fishing license, the operation of any commercial fishing gear beyond the state line boundaries of the state in which the license was issued is prohibited.

Reciprocity

Where there are differences in elements of the boundary waters regulations of Minnesota and Wisconsin, anglers and commercial anglers must comply with the

regulations and license requirements of the state whose territorial waters they are fishing in.

SPECIFIC COMMERCIAL FISHING RESTRICTIONS FOR WISCONSIN-MINNESOTA BOUNDARY WATERS.

• Each commercial angler shall be present at all times when any of his or her setlines are set, placed, tended or operated.
• No person may mark or tag a setline with his or her license number or metal tag if the setline is already marked or tagged by another licensed commercial angler.

• No person may set, place, tend or operate any setline that is marked or tagged with the license number or metal tag of another person, except for crew members acting under the direction of the licensee while the licensee is present.

Setlines - Seasons, Closed Areas, and Restrictions

In the Wisconsin portion of the Wisconsin-Minnesota boundary waters, no person may conduct commercial fishing operations with the use of setlines except in the manner prescribed as follows:

• Setlines may be used in the Wisconsin portion of the Mississippi river from Saturday nearest April 1 to October 31, except for the closed areas listed below.

Permanently closed areas.

- Within 900 feet below any U.S. corps of engineers lock or dam on the Mississippi river.
- Goose lake lying in Pierce county.
- Trempealeau lakes known as Second, Third and Round Lakes lying in Trempealeau county.
- Lagoon, which is located on Barron island within the corporate city limits of LaCrosse, as well as the connecting waterway south to State Highway 16.

- In upper pool 8, the Black river from the Onalaska 9-foot spillway dam downstream to the Soo-Line railroad bridge.

Seasonally closed areas.

- Pool 4, between river mile 780 and 797, closed from March 1 through May 31.
- In lower pool 8, Bluff Slough from 7th Street downstream to where Bluff Slough enters Running Slough, closed from April 15 through October 30.

• There shall be a buoy at each end of every setline. The buoys shall have a staff extending at least 3 feet above the surface of the water. Upon the upper end of each staff there shall be a flag at least 10 inches square. Upon the bowl of each buoy there shall be maintained in plain figures the license number of the licensee.

• Setlines may not be set in a manner which blocks off more than ¾ the width of any slough, bay or channel to any type of boat traffic.

• Bank or set poles are not legal to use for commercial or sport fishing on the Wisconsin/Minnesota boundary waters.

WISCONSIN-IOWA BOUNDARY WATERS

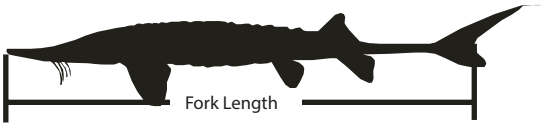
Reciprocity

Where there are differences in elements of the boundary waters regulations of Iowa and Wisconsin, anglers and commercial anglers must comply with the regulations of the state whose territorial waters they are fishing in.

Definitions

Wisconsin/Iowa Boundary Waters for the purpose of taking turtles or commercial fishing means all waters from the Burlington Northern and Sante Fe railroad tracks on the east side of the Mississippi River in Wisconsin extending west to the state line between Wisconsin and Iowa. For sport fishing purposes the WI/IA boundary waters means all waters of the Mississippi River as defined under this section.

Commercial fish means species of rough and detrimental fish, shovelnose (hackleback) sturgeon 27 inches and over but less than 34 inches in fork length, catfish 15 inches or over in length or 12 inches or over dressed and bullheads of any length when taken with commercial fishing gear under a commercial fishing license on the Mississippi River.



Shovelnose sturgeon must be at least 27" in length, but less than 34" in fork length.

Fork Length means that distance measured in a straight line from the tip of the snout to the tip of the median caudal fin rays of a fish.

Open Seasons

Set or bank poles and setline - continuous

Bag and Possession Limits

No restrictions other than only commercial fish may be taken.

Setlines

- Setlines may be used all year (residents only).
- At one end of every licensed setline, there shall be placed and maintained a white flag, not less than 16 inches square, with the upper end of the staff extending at least two feet above the water and numbered with figures at least three inches in height corresponding with the number of the setline license. It shall be numbered with figures at least three inches in height, corresponding with the number of the setline license. It shall be lawful to use buoys instead of flags provided the buoys are numbered with figures at least 3 inches in height corresponding with the number of the issued license.

- No person may remove roe from a commercial fish while on the water, bank or shore. Commercial fish shall remain intact until the fish reaches the final processing facility or place of business of the commercial angler.

- Setlines may not be used or operated at any time within 900 feet below any U.S. Corps of Engineers Lock or dam.

Set or Bank Poles

- Set or bank poles are not commercial gear.
- Set or bank poles may be used all year (residents only).
- Not more then five set or bank poles may be used for the taking of rough fish or catfish.
- Not more than one line with not more than 2 hooks may be used for each set or bank pole.

Other Regulation Requirements

No licensed commercial angler or any member of his crew or any person in his boat shall have in his possession any panfish or game fish or sport angling equipment while operating licensed commercial gear (including setlines), and any set or bank poles, or while traveling to or from the operation of such gear.