

# Regulation Proposal Form

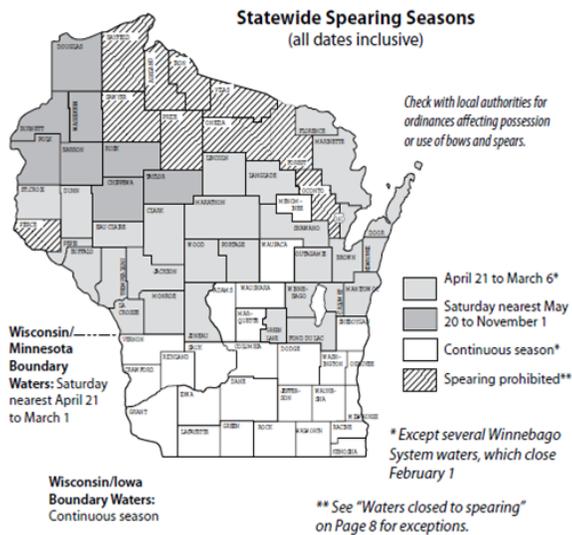
**Print Form**

**Email Form**

<b>Proposal Title</b> Spearing Seasons	
<b>Author</b> Group effort	<b>Date</b> 10/12
<b>Location Information:</b>	
<b>Affected water(s)</b> Inland waters statewide	
<b>County</b> all	<b>WBIC(s)</b>
<b>Upstream/downstream boundaries, if applicable—Law Enforcement should be consulted</b>	
<b>Will this regulation affect Ceded Territory water and are there any anticipated impacts to tribal fisheries?</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	

## Current Regulation

Spearing seasons vary by county and region.



Spearing includes spears, bow and arrow (and crossbow wherever bow and arrow is allowed), spear guns, and other similar devices

Spearing is allowed sunrise to sunset only, except bow and arrow and crossbow anytime

No spearing in trout streams, except those where allowed, such as currently in Waupaca County

No rough fish spearing size or bag limits statewide

COUNTY	SEASON	EXCEPTION
Adams	Continuous open	
Columbia	Continuous open	
Crawford	Continuous open	
Dane	Continuous open	
Dodge	Continuous open	
Grant	Continuous open	
Green	Continuous open	
Iowa	Continuous open	
Jefferson	Continuous open	

Kenosha	Continuous open	
Lafayette	Continuous open	
Marquette	Continuous open	
Milwaukee	Continuous open	
Ozaukee	Continuous open	
Racine	Continuous open	
Richland	Continuous open	
Rock	Continuous open	
Sauk	Continuous open	no spearing in Devil's Lake
Sheboygan	Continuous open	
Vernon	Continuous open	
Walworth	Continuous open	
Washington	Continuous open	
Waukesha	Continuous open	
Waupaca	Continuous open	includes Waupaca River downstream from Weyauwega Dam (trout stream), Embarrass River (?), and Wolf River (?); April 21 to Feb 1 on Winnebago system waters
Waushara	Continuous open	Suckers and carp only on some trout streams from Saturday nearest March 15 to but not including Saturday nearest May 1; and April 21 to February 1 on Winnebago system waters
Brown	April 21 to first the Sunday in March	
Buffalo	April 21 to first the Sunday in March	
Calumet	April 21 to first the Sunday in March	April 21 to February 1 on Winnebago system waters
Clark	April 21 to first the Sunday in March	
Door	April 21 to first the Sunday in March	
Dunn	April 21 to first the Sunday in March	
Eau Claire	April 21 to first the Sunday in March	
Florence	April 21 to first the Sunday in March	
Fond du Lac	April 21 to first the Sunday in March	April 21 to February 1 on Winnebago system waters; and Fond du Lac River from its mouth upstream for 3 miles sunrise to sunset only (except bow and arrow)
Green Lake	April 21 to first the Sunday in March	sunrise to sunset only, except bow and arrow anytime; and spearing anytime on Fox River downstream from first dam upstream from Princeton
Jackson	April 21 to first the Sunday in March	
Juneau	April 21 to first the Sunday in March	
Kewaunee	April 21 to first the Sunday in March	
LaCrosse	April 21 to first the Sunday in March	
Langlade	April 21 to first the Sunday in March	
Lincoln	April 21 to first the Sunday in March	
Manitowoc	April 21 to first the Sunday in March	

Marathon	April 21 to first the Sunday in March	no spearing in Big Eau Pleine Flowage from dam upstream to Hwy 97 from Nov. 1 to April 20
Marinette	April 21 to first the Sunday in March	
Monroe	April 21 to first the Sunday in March	
Oconto	April 21 to first the Sunday in March	east of hwy. 141 only, rest of county is closed to spearing
Outagamie	April 21 to first the Sunday in March	
Pepin	April 21 to first the Sunday in March	
Portage	April 21 to first the Sunday in March	
Shawano	April 21 to first the Sunday in March	
St. Croix	April 21 to first the Sunday in March	
Trempeleau	April 21 to first the Sunday in March	
Winnebago	April 21 to first the Sunday in March	April 21 to February 1 on Winnebago system waters and the Fox and Wolf rivers
Wood	April 21 to first the Sunday in March	
Barron	Saturday nearest May 20 to November 1	no spearing in Beaver Dam Lake* *add to regs book
Burnett	Saturday nearest May 20 to November 1	
Chippewa	Saturday nearest May 20 to November 1	
Douglas	Saturday nearest May 20 to November 1	burbot, but no other species, may be speared sunset to sunrise in Amnicon and Nemadji rivers and the Black River upstream from Dec. 15 to Jan. 31
Rusk	Saturday nearest May 20 to November 1	
Taylor	Saturday nearest May 20 to November 1	
Washburn	Saturday nearest May 20 to November 1	
Polk	Saturday nearest May 20 to November 1	
Ashland	Continuous closed	burbot, but no other species, may be speared sunset to sunrise in Bad River upstream to Copper Falls from Dec. 15 to Jan. 31
Bayfield	Continuous closed	bow and arrow only in Fish Creek Slough from its mouth to junction of North and South Fish Creeks May 20 to July 1
Forest*	Continuous closed	
Iron	Continuous closed	bow and arrow only May 20 to July 1; no spearing in tributaries to Lake Superior
Menominee*	Continuous closed	
Oneida	Continuous closed	
Pierce	Continuous closed	
Price	Continuous closed	
Sawyer	Continuous closed	bow and arrow only May 20 to July 1
Vilas	Continuous closed	
WI-MI boundary waters	currently varies by county and water	*housekeeping rule will close all spearing in boundary waters
WI-MN boundary	Saturday nearest April 21 to March 1	sunrise to sunset only, except bow and arrow anytime

waters		
WI-IA boundary waters	Continuous open	sunrise to sunset only, except bow and arrow anytime

**Proposed Regulation**

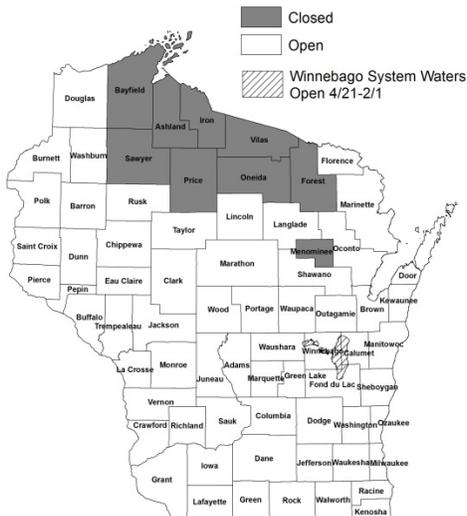
This proposal would simplify rough fish spearing season dates on inland waters statewide by opening all but 9 northern counties to rough fish spearing year-round. The following areas would be opened to rough fish spearing year-round:

- 61 counties that currently have any open season for rough fish spearing,
- Pierce County that is currently closed to spearing, and
- all tributaries to Lake Michigan.

All Lake Winnebago System waters will have an April 21 to February 1 open season. Most of the System waters already have these open season dates, but some new waters will be included to ensure the entire system has the same open season. (see map below)

Special nighttime spearing seasons for burbot, but no other species, will remain in Douglas and Ashland counties on four rivers, and a bow and arrow or crossbow only season from May 20 to July 1 in Fish Creek Slough in Bayfield County will also remain.

The May 20 to July 1 bow and arrow seasons in Iron and Sawyer counties as well as the March 15 to the Saturday before May 1 season on trout streams in Waushara County will be closed with this proposal. Ashland, Bayfield, Forest, Iron, Menominee, Oneida, Price, Sawyer, and Vilas counties will remain closed to rough fish spearing year-round. All trout streams statewide and Devils Lake in Sauk County will also remain closed.



Lake Winnebago System (LWS) waters include Lakes Buttes des Morts, Winneconne, Poygan, 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 and 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.

**Management Goal**

**Summary statement that characterizes the desired fishery (e.g. provide a naturally reproducing harvest-oriented walleye fishery; provide a bass fishery dominated by large adults that maximizes predation on smaller fishes)**

Provide rough fish spearing opportunities for anglers statewide.  
 Develop more uniform, simplified spearing regulations.

**Description of the Water(s) and Fishery**

Provide a brief description of the water(s), past regulations and other management actions. Summarize all applicable fisheries data, particularly from surveys meeting protocols (Table 1).

Spearing means fishing with spears, bow and arrow, spear guns, and other similar devices. A legislative bill passed in early 2012 allows the use of a crossbow whenever bow and arrow is allowed. Spearing is only allowed from sunrise to sunset, except a statutory provision allows the use of bow and arrow any time of day when there is an open season for rough fish. Spearing is not allowed in trout streams, and there are no size or bag limits when spearing rough fish.

Spearing season dates currently vary by county and sometimes by specific water throughout Wisconsin. There are 25 counties with continuous open seasons, 29 open April 21 to first the Sunday in March, 8 open Saturday nearest May 20 to November 1, and 10 with a continuous closed season. In addition, Winnebago System waters are open to rough fish spearing only April 21 to February 1, and there are waterbody specific regulations that either restrict or allow additional time for spearing within a county.

**Management Objective(s)**

a) Goals are general, objectives are specific. Objectives are used to evaluate the effectiveness of your action and determine if you have achieved your goal. Provide a management objective that is specific, measurable, able to be achieved, related to the goal, and has a temporal component (e.g. increase walleye harvest rate to 0.1 fish/hour while maintaining recruitment at or above 10 YOY/mile within 5 years; increase largemouth bass RSD14 to 35 and bluegill RSD8 to 15 within 5 years

The goal of this proposal is to provide additional rough fish spearing opportunities for anglers statewide. Rather than four different spearing seasons on inland waters, the proposal will create more uniform, simplified spearing seasons statewide.

b) Describe how the management objective and associated target levels for metrics were developed (e.g. lake management plan, stakeholder meeting, comparison to other water(s)).

**Current Problem**

Use survey data or provide context for a similar water or group of waters (e.g. lake type, watershed) to demonstrate how the fishery is not meeting the desired management objective. Identify hypothesized problem(s) you hope to address.

Mix of season dates throughout the state with several exceptions; confusing for public and DNR staff

**Proposed Regulation Justification**

How is the regulation change expected to meet your objective(s)? Demonstrate expected results of the regulation using tools such as modeling, comparisons to other waters, peer-reviewed literature, etc...

The change would simplify spearing regulations statewide and allow additional rough fish spearing opportunities.

**Evaluation Plan**

Provide a suggested plan and timeline for evaluating whether the objectives are met in response to the regulation change. Indicate potential courses of action if objectives are not being met. If proposed regulation is not part of the "toolbox" (Table 2) the evaluation plan needs to be additionally detailed with an explanation of how the costs of evaluation will be covered.

Fish population assessments during the normal survey monitoring schedules.

**Previous Action**

Include details on previous regulation proposals that were intended to address the current problem, if applicable.

## Public Participation in Developing Proposed Regulation

Was input solicited from stakeholders when developing the proposed regulation change? Include documented comments from affected user groups (positive and negative), contacts made with local Conservation Congress Representatives, lake associations, angler groups, etc...

FM staff received the following emails and letters from bow fishing organizations requesting that the department reassess bow fishing seasons and restrictions.

**From:** Mathew Schillinger [mailto:mschillinger@amsbowfishing.com]  
**Sent:** Monday, November 28, 2011 01:58 PM  
**To:** John Kennedy; Fetting, Barry R - DNR; 'Tim Garrigan'; Hujik, Robert - DNR  
**Subject:** Bowfishing Seasons

To whom it may concern,

First of all the concern about shooting game fish that time of year while bowfishing should be thrown out the window. You can go out every night and see game fish from perch, bluegill, walleye, and muskies. The game fish is not our targeted species.

On March 18, 2010 I drove 60 miles to the Petenwell Flowage to bowfish for rough fish. Mind you I live 6 miles from the Big Eau Pleine Flowage, but because of a **ROUGH FISH** season we have to travel. That night the boat landing and waters were jam packed with bowfishermen. In 2010 I traveled back down to Petenwell and Castle Rock to bowfish 8 times and every time the landings were filled with bowfishermen. Imagine in that 6 week span how many rough fish were removed from those lakes, its not a couple hundred pounds, its more like thousands of pounds.

It makes no sense why there is a closed season on a rough fish that you want removed from the waters. South Dakota, Colorado, and Illinois have just changed their bowfishing regulations and seasons. South Dakota and Colorado now allow the use of bowfishing for Salmon and Michigan is working to allow this also.

Why is Wisconsin so hard to work with when it comes to changing the rules and regulations. Bowfishing has grown in popularity by leaps and bounds the last 4 years, and we are not talking about an extra 2-3 weeks of bowfishing. We have already traveled to Petenwell flowage as early as March 1 and bowfished for carp as early as February in creeks and streams that do not freeze over.

Why hold back a sport that removes invasive species from the water ways. Seems to me some people are just too lazy to want to make a change. If it does take a long time to make changes, lets get started on it now. As far as the ceded territory goes, I don't buy it. I have never seen people at boat landings harassing people for spearing carp, only for spearing walleyes. If a rule change process is time consuming and drawn out, we better get started now.

I will gladly provide any help with getting this law changed.

Thanks  
Mathew

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Mathew Schillinger  
AMS Bowfishing  
Phone 888-541-7657  
Fax 715-687-3379  
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To Whom in May Concern:

Bowfishing has become a hugely popular sport throughout the state of Wisconsin and the country. It is a fun sport that anyone can enjoy, not only experienced archers. It is also a sport that the entire family can enjoy together in the outdoors, with more and more women and kids getting involved. Kids as young as 4 or 5 can participate. The only requirement is having the ability to draw a bow.

Bowfishing is also helpful to the ecological make up of any body of water as it involves removing rough fish and

invasive species from our waters, which compete for and destroy game fish habitat. The number one target for bowfishermen in the state of Wisconsin is carp, whether it is common carp, mirror carp, buffalo carp or silver carp and bighead carp, which will soon be over populated in our river systems as they are in other states. All of these species except buffalo carp are non-native to North America and all of them are classed as rough fish, which are legal targets for bowfishing. In some cases, the DNR and/or lake organizations have paid to have these species removed from certain bodies of water.

Since bowfisherman and women are targeting species that everyone agrees need to be controlled or removed from our waters, we would like to request that the bowfishing seasons that are in place for certain counties throughout the state be removed and an open, year round season be in place for bowfishing state wide as it is throughout much of the southern third of the state.

The restrictions on bowfishing in most areas are from March through mid May, which is restricting some of the best bowfishing of the year. Bowfishing can be very productive in the weeks immediately after ice out on any body of water as carp are looking for warm, shallow water. They can be found in high numbers in these areas. Also, throughout the spring until late May or early June, weed growth is down at this time of year, increasing visibility, which also makes bowfisherman more successful in removing carp. One more aspect that makes bowfishing in early spring highly successful is the fact that our waters are typically much cleaner and clearer at this time of year. Algae growth is non-existent until May or June. This again increases visibility, which is a key component to bowfishing and makes bowfisherman more successful.

For example, in March of 2010, the ice went out on the Petenwehl Flowage early in the month. For the next several weeks, bowfisherman swarmed to this area in Adams county, where bowfishing is legal year round. They could not fish the west side of the flowage as that was in Juneau county and they could not fish the north side as that was in Wood county. Both Juneau and Wood county are not legal for bowfishing from March 1 through April 21. I know that several thousand carp were removed from that body of water during that time as bowfisherman were there every night of the week for several weeks, some taking as many as 100-300 carp in one outing per boat. This shows the kind of success that bowfishing can have at this time of year, when the carp are looking for warm shallow areas, weeds are down from the winter ice and water is generally cleaner and easier to see into.

Many bowfisherman also bowfish year round in areas where it is legal, including winter months in areas where the water does not freeze and carp congregate throughout the winter. Creek inlets to flowages or streams and rivers with some current running through them are great places for bowfishing during the winter months as these areas typically do not freeze. It is also a great time of year for those without a boat to bowfish as it is done while walking the shoreline or wading in the water with waders. February and March is a great time of year for this. Success rates again are high for bowfisherman at this time of year as high numbers of carp are in these areas.

It seems unreasonable to many that we restrict anyone from taking carp from any body of water at any time of year. If people want to take them, why restrict it? The DNR and some lake associations have paid to have them removed. The one reason I hear is that the bowfishing season is protecting spawning game fish. However, it is not legal to take game fish at any time of year while bowfishing, only rough fish are allowed. Do you see game fish while bowfishing only in the spring of the year? Of course not. Game fish can be seen at any time of year and the species must be identified before the shot. High numbers of carp in these area's are more destructive to game fish spawning than bowfishing is. Is it not more productive for the game fish to have less carp in the area that will disturbed their recent spawn?

With the threat of even more invasive species to our waters (Asian Carp), why limit those that are wanting to target these species. While we all know that fishing a species isn't going to eliminate it, it may help to control it or at the very least, give some information about the species and body of water. The IL DNR is working closely with Bowfishing organizations in their state to help better understand the Asian carp problem they have in their rivers. AMS Bowfishing would like to extend our assistance to the WI DNR or anyone else to help update these laws. We are a Wisconsin based company and would like to see these seasons removed, as most bowfisherman throughout the state would. We work closely with bowfishing organizations throughout the world and have bowfished in many areas around the country. Most bowfisherman outside the Midwest region find it strange that there is a bowfishing season at all. And many newcomers to the sport are not aware of these seasons, as they are listed in the Spearing and Netting Regulations which must be asked for or gained elsewhere when purchasing a fishing license.

Please consider my request and assistance in updating these laws. As stated previously, bowfishing is a fast growing sport and I feel these seasons and many bowfishing laws in general have been based on assumptions about the sport. Thank You for your time.

Jeffrey J Braun

AMS Bowfishing - Owner

jbraun@amsbowfishing.com

PH 715-687-2350

FX 715-687-3379

**Small Business and Fiscal Effect**

Explain who is likely to be economically impacted and in what way. If possible, provide estimates.

No small business effect expected.

**Draft Question: for inclusion in Spring Hearing questionnaire**

**This proposal would (insert proposed regulation):** simplify rough fish spearing season dates on inland waters statewide by opening all but 9 northern counties to rough fish spearing year-round. The following areas would be opened to rough fish spearing year-round:

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- Pierce County that is currently closed to spearing, and
- all tributaries to Lake Michigan.

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**The Management Goal is:** The goal of this proposal is to provide additional rough fish spearing opportunities for anglers statewide. Rather than four different spearing seasons on inland waters, the proposal will create more uniform, simplified spearing seasons statewide.

**This regulation proposal is one tool to help meet the management goal because:**

**Do you favor :** Do you favor simplifying rough fish spearing season dates on inland waters statewide? (specific changes listed above)