

**Wisconsin Department of Natural Resources  
Natural Resources Board Agenda Item**

Item No. 4.B.

**SUBJECT:**

Request that the Board adopt Board Order FH-08-21 (E), proposed rules affecting chapter NR 20 related to Minocqua Chain walleye harvest regulations.

**FOR: August 2021 Board meeting****PRESENTER'S NAME AND TITLE:** John Kubisiak, Treaty Unit Fisheries Team Supervisor**SUMMARY:**

This emergency rule continues the catch-and-release regulation for walleye in the Minocqua Chain for the rest of 2021 while the permanent rule (adopted by the Board in June 2021) is in the final stages of promulgation. A zero bag limit, catch-and-release-only season is currently in place for walleye in waters of the Minocqua Chain of Lakes in Oneida County, and was extended through emergency rules FH-24-19 (E) and FH-17-20 (E). This regulation was implemented to stabilize a decline in the walleye population on these lakes, as well as to allow time for the population to rebuild and natural reproduction and recruitment to be restored. Although monitoring efforts demonstrate that the population is recovering, the department and stakeholders determined that additional years of the catch-and-release regulation are needed to achieve management goals for the Minocqua Chain walleye fishery, specifically natural reproduction goals.

**RECOMMENDATION:** That the Board adopt Board Order FH-08-21 (E).**LIST OF ATTACHED MATERIALS (check all that are applicable):**

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> background memo   | <input type="checkbox"/> Attachments to background memo |
| <input checked="" type="checkbox"/> Fiscal estimate and economic impact analysis (EIA) form | <input checked="" type="checkbox"/> Board order/rule    |
| <input type="checkbox"/> Response summary   | <input type="checkbox"/> (insert document name)         |

Approved by	Signature	Date
Justine Hasz, Fisheries Management bureau director	<small>DocuSigned by:</small> <i>Justine R Hasz</i>	7/8/2021   2:03 PM CDT
Keith Warnke, FWP division administrator	<small>DocuSigned by:</small> <i>Keith Warnke</i>	7/9/2021   7:38 AM CDT
Preston D. Cole, Secretary	<small>DocuSigned by:</small> <i>Todd Ambros</i>	7/12/2021   10:13 AM CDT

cc: Board Liaison - AD/8

Program attorney – LS/8

Department rule officer – LS/8

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**CORRESPONDENCE/MEMORANDUM**

DATE: July 12, 2021

TO: All Members of the Natural Resources Board

FROM: Preston D. Cole, Secretary

SUBJECT: Background memo on Board Order FH-08-21 (E), relating to Minocqua Chain walleye harvest regulations

**1. Subject of Proposed Rule:**

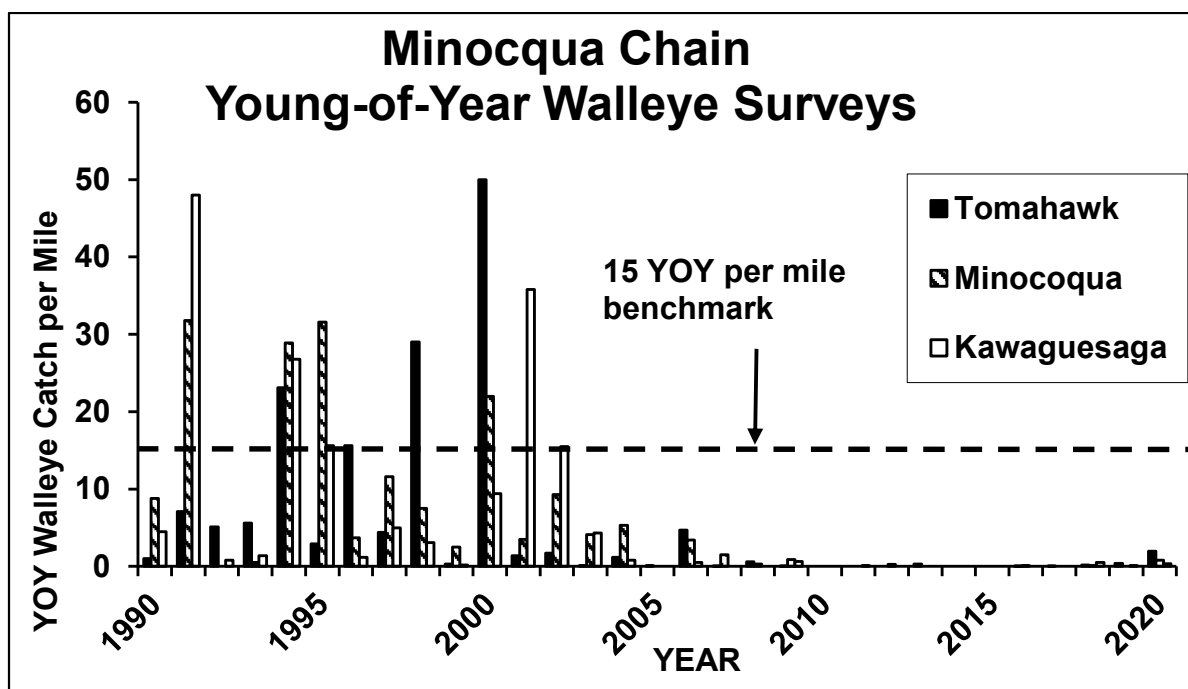
The proposed rule maintains the catch-and-release walleye fishing regulations on the Minocqua Chain of Lakes in Oneida County.

**2. Background:**

The Minocqua Chain is comprised of 6 lakes and encompasses just over 5,880 acres of water. Gamefish species include musky, walleye, largemouth and smallmouth bass, and northern pike. Panfish species include bluegill, black crappie, yellow perch, and pumpkinseed. The chain is centered on the Town of Minocqua and receives a great deal of pleasure boat traffic and fishing pressure since the area is a highly regarded tourist destination.

Historically, walleye reproduced naturally on Lakes Minocqua and Kawaguesaga (Tomahawk has a long history of walleye stocking); however, recruitment failures were documented in these lakes beginning in the mid-2000s with a commensurate decline in adult walleye numbers. A comprehensive stocking plan was initiated for Lakes Minocqua and Kawaguesaga beginning in 2012 which includes stocking large fingerling walleye in odd-numbered years. In even-numbered years, Lake Tomahawk receives large fingerling walleye.

Monitoring efforts for the Minocqua Chain walleye population include comprehensive surveys of the entire chain every 10 years and annual fall electrofishing surveys. Walleye population estimates were completed on Minocqua Lake during spring 2019 and 2021; on Kawaguesaga Lake during 2019, 2020 and 2021 and on Tomahawk Lake in 2021. Monitoring has shown that although the walleye population is still sustained through stocking, some limited natural reproduction is occurring (Figure 1).



**Figure 1. Young-of-year walleye catch per mile of shoreline in the Minocqua Chain. A catch of about 10 to 15 per mile generally results in a noticeable year class in future years, and one moderate to strong year class is needed about every 3-4 year to sustain a population. A high catch of 70 per mile in 2000 was truncated for scale.**

### 3. Why is the rule being proposed?

This rule will maintain regulatory consistency on the Minocqua Chain of Lakes by continuing the catch-and-release regulation until the permanent rule is in effect.

The department and partners including representatives from the Great Lakes Indian Fish and Wildlife Committee, Lac du Flambeau Band of Lake Superior Chippewa Indians, Wisconsin Valley Improvement Company, Walleyes For Tomorrow, Mid Lake Protection and Management District, Minocqua/Kawaguesaga Lakes Protection Association, Inc., and Tomahawk Lake Association drafted a 2015-2025 rehabilitation plan for Minocqua Chain and continue to meet approximately twice per year to monitor progress on the Minocqua Chain walleye rehabilitation project. The partner group supported extending the catch-and-release regulation in the permanent rule, and the Lac du Flambeau Tribe has agreed to also maintain catch-and-release fishing for tribal anglers as long as the state has such rules in place.

The rule will extend the zero bag limit, catch-and-release-only season for walleye to cover the period during which the permanent rule is in its final stages of promulgation.

### 4. How does this proposal affect existing policy?

This rule is a continuation of existing policy. It will extend the existing catch-and-release regulation on the Minocqua Chain while the permanent rule (which extends the catch-and-release regulation until 2025) is completing legislative review.

**5. Has Board dealt with these issues before?**

The Board approved the scope statement for this rule at the January 2020 Natural Resources Board meeting. The Board adopted emergency rule FH-24-19 (E) at the February 2020 meeting, and adopted emergency rule FH-17-20 (E) at the December 2020 meeting. The Board then adopted permanent rule FH-25-19, which continues the catch-and-release regulation followed by a limited harvest regulation to begin in 2025, at the June 2021 meeting.

**6. Who will be impacted by the proposed rule? How?**

This emergency rule will mainly impact individual anglers, but impacts are likely to be minimal because anglers have already experienced the catch-and-release-only regulation for several years. Extending the regulation has been publicly supported by partners and local anglers, as they recognize that delaying reimplementation of a harvest season will allow the walleye population to reach sustainable levels and provide good fishing opportunities in the future. This rule will have no additional impacts beyond what has already been in place through both permanent and emergency rules over the years.

**7. Soliciting public input on economic impact synopsis**

The Great Lakes Indian Fish and Wildlife Commission, lake associations, business associations, the local chamber of commerce, local bait shops, and anglers participated in public meetings held in Minocqua prior to development of this rule. The department solicited public comments on economic impacts during the emergency and permanent rule development processes with no comments received on potential economic impacts of the proposed rules.

**8. Small Business Analysis**

The proposed rule is expected to have a minimal economic impact, if any, since it is not changing the existing regulations. The rule will mainly affect individual anglers and does not directly affect businesses. No expenses are imposed on businesses, business associations, public utility rate payers, or local governmental units as a result of this rule. No additional compliance or reporting requirements will be imposed on small businesses as a result of these rule changes.

**Drafter:** Meredith Penthorn, John Kubisiak and Todd Kalish

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STATE OF WISCONSIN  
DEPARTMENT OF ADMINISTRATION  
DOA-2049 (R09/2016)

DIVISION OF EXECUTIVE BUDGET AND FINANCE  
101 EAST WILSON STREET, 10TH FLOOR  
P.O. BOX 7864  
MADISON, WI 53707-7864  
FAX: (608) 267-0372

## ADMINISTRATIVE RULES

### Fiscal Estimate & Economic Impact Analysis

<p>1. Type of Estimate and Analysis  <input checked="" type="checkbox"/> Original   <input type="checkbox"/> Updated   <input type="checkbox"/> Corrected</p>	<p>2. Date  07/02/2021</p>
<p>3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable)  NR 20, Fishing: Inland Waters; Outlying Waters</p>	
<p>4. Subject  FH-08-21 (E), Minocqua Chain walleye harvest regulations</p>	
<p>5. Fund Sources Affected  <input type="checkbox"/> GPR   <input type="checkbox"/> FED   <input type="checkbox"/> PRO   <input type="checkbox"/> PRS   <input type="checkbox"/> SEG   <input type="checkbox"/> SEG-S</p>	<p>6. Chapter 20, Stats. Appropriations Affected</p>
<p>7. Fiscal Effect of Implementing the Rule  <input checked="" type="checkbox"/> No Fiscal Effect   <input type="checkbox"/> Increase Existing Revenues   <input type="checkbox"/> Increase Costs   <input type="checkbox"/> Decrease Costs  <input type="checkbox"/> Indeterminate   <input type="checkbox"/> Decrease Existing Revenues   <input type="checkbox"/> Could Absorb Within Agency's Budget</p>	
<p>8. The Rule Will Impact the Following (Check All That Apply)  <input type="checkbox"/> State's Economy   <input type="checkbox"/> Specific Businesses/Sectors  <input type="checkbox"/> Local Government Units   <input type="checkbox"/> Public Utility Rate Payers  <input type="checkbox"/> Small Businesses <b>(if checked, complete Attachment A)</b></p>	
<p>9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1).  \$0</p>	
<p>The rule extends an existing catch-and-release regulation for walleye on the Minocqua Chain of Lakes and then implements a limited harvest regulation in administrative code moving forward. No implementation or compliance costs are expected to be incurred.</p>	
<p>10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be \$10 Million or more Over Any 2-year Period, per s. 227.137(3)(b)(2)?  <input type="checkbox"/> Yes   <input checked="" type="checkbox"/> No</p>	
<p>11. Policy Problem Addressed by the Rule  This rule will extend the existing walleye catch-and-release regulation on the Minocqua Chain of Lakes (consisting of Kawaguesaga, Minocqua, Mid, Little Tomahawk and Tomahawk lakes) while the permanent rule is in the final stages of promulgation. The catch-and-release regulation, established to allow the walleye population to recover from a population decline, sunsetted in April 2020 and has been extended through emergency rules. The catch-and-release regulation has allowed walleye stocked into these waters to continue to replenish populations on the Minocqua Chain. The Lac du Flambeau Chippewa tribe has also agreed to maintain the catch-and-release-only regulation as long as the state also does so, so the Minocqua Chain will remain closed to tribal spearing in concert with the emergency and permanent rules.</p>	
<p>12. Summary of the Businesses, Business Sectors, Associations Representing Business, Local Governmental Units, and Individuals that may be Affected by the Proposed Rule that were Contacted for Comments.  The Great Lakes Indian Fish and Wildlife Commission, lake associations, business associations, the local chamber of commerce, local bait shops, and anglers participated in public meetings held in Minocqua prior to development of this rule.</p>	
<p>13. Identify the Local Governmental Units that Participated in the Development of this EIA.  No local governments participated in the development of this EIA.</p>	
<p>14. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)  The proposed rule is expected to have a minimal economic impact, if any. The rule will mainly affect individual anglers and does not directly affect businesses. There may be a slight economic benefit to these rules due to shifting from a</p>	

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**ADMINISTRATIVE RULES**  
**Fiscal Estimate & Economic Impact Analysis**

catch-and-release management strategy to one that allows limited angler harvest with the permanent rule. No expenses are imposed on businesses, business associations, public utility rate payers, or local governmental units as a result of the rules. No additional compliance or reporting requirements will be imposed on small businesses as a result of these rule changes.

15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule  
This rule would ensure regulatory consistency during the last 2-3 months of permanent rule review and implementation. The catch-and-release regulation proposed in this rule is also consistent with the regulatory structure proposed in the permanent rule, which retains the catch-and-release regulation through April 1, 2025, with harvest to begin in May 2025. Not implementing the rules would mean that the Minocqua Chain would revert to inappropriate harvest regulations for walleye (18-inch minimum length limit and daily bag limit of 2). The increased harvest pressure could reverse the positive trend of population growth, resulting in a failure of the walleye population to meet management goals and remain self-sustaining.

16. Long Range Implications of Implementing the Rule  
This rule will contribute to a healthier, more sustainable walleye population and the reduced need for stocking walleye in the Minocqua Chain of Lakes. Because this rule is being promulgated to ensure that the catch-and-release regulation remains in place for the last remaining months until the permanent rule is in effect, the long-range implications will be identical to the short-term implications.

17. Compare With Approaches Being Used by Federal Government  
No federal regulations apply. States possess inherent authority to manage the fishery and wildlife resources within their boundaries, except insofar as preempted by federal treaties and laws, including regulations established in the Federal Register.

18. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)  
Fisheries management rules are generally similar in the states surrounding Wisconsin. Each bordering state regulates fishing by the use of seasons, bag limits and size limits. Specific seasons and bag and size limits may differ for species among the surrounding states, but the general principles are the same. Michigan, Minnesota, Iowa, and Illinois all have statewide seasons and bag and size limits for fish species, along with special or experimental regulations on individual waters.

Notably, Minnesota established a catch-and-release only regulation for walleye on Mille Lacs to address walleye population decline and low walleye recruitment. The catch-and-release-only season was in effect for three years. The Minnesota DNR manages Mille Lacs jointly with the Ojibwe tribes, similar to the cooperative approach for managing the Minocqua Chain by the Wisconsin DNR and Ojibwe tribes.

19. Contact Name Meredith Penthorn	20. Contact Phone Number 608-316-0080
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## **ADMINISTRATIVE RULES**

### **Fiscal Estimate & Economic Impact Analysis**

#### **ATTACHMENT A**

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1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

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2. Summary of the data sources used to measure the Rule's impact on Small Businesses

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3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- ☐ Less Stringent Compliance or Reporting Requirements
- ☐ Less Stringent Schedules or Deadlines for Compliance or Reporting
- ☐ Consolidation or Simplification of Reporting Requirements
- ☐ Establishment of performance standards in lieu of Design or Operational Standards
- ☐ Exemption of Small Businesses from some or all requirements
- ☐ Other, describe:

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4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

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5. Describe the Rule's Enforcement Provisions

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6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

☐ Yes   ☐ No

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The scope statement for this rule, SS 115-19, was published in Administrative Register 768A1 on December 2, 2019 and was adopted by the Natural Resources Board on January 21, 2020. The final rule was approved by the Governor on

**ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD  
AMENDING RULES**

The Wisconsin Natural Resources Board proposes an order to **amend** NR 20.20 (44) (g) 3. relating to Minocqua Chain walleye harvest regulations.

**FH-08-21 (E)**

**Analysis Prepared by the Department of Natural Resources**

**1. Statutes Interpreted:** Sections 29.014 (1) and 29.053 (2), Stats., have been interpreted as authorizing the department to make changes to Wisconsin fishing rules.

**2. Statutory Authority:** Sections 29.014 (1) and 29.053 (2), Stats., authorize these rules.

**3. Explanation of Agency Authority:** Section 29.014, Stats., “rule-making for this chapter,” grants the department the authority to establish and maintain open and closed seasons, bag limits, size limits and other conditions that will conserve fish populations and provide good fishing opportunities for the citizens of the state.

Section 29.053 (2), Stats., provides that the department may establish conditions governing the taking of fish for the state as a whole, for counties or parts of counties, or for waterbodies or parts of waterbodies.

**4. Related Statutes or Rules:**

Two emergency rules, FH-24-19 (E) / EmR 2004 and FH-17-20 (E) / EmR 2104, initially implemented the extension of the catch-and-release season for walleye on the Minocqua Chain of Lakes. A permanent rule, FH-25-19 / CR 20-066, is under the final stages of promulgation to address longer-term walleye harvest regulations on the Minocqua Chain, including continuation of the catch-and-release season until 2025 followed by sustainable size and bag limits for walleye.

**5. Plain Language Analysis:**

This emergency rule will extend the existing catch-and-release regulation on the Minocqua Chain of Lakes (consisting of Kawaguesaga, Minocqua, Mid, Little Tomahawk and Tomahawk lakes), as a continuation of policy established through emergency rules FH-24-19 (E) / EmR 2004 and FH-17-20 (E) / EmR 2104. The catch-and-release regulation had an original sunset date of April 2020. The permanent rule (FH-25-19 / CR 20-0660 has been adopted by the Natural Resources Board, and this emergency rule is only needed to maintain the catch-and-release regulation for approximately 2-3 months while the permanent rule is completing legislative review and the final steps of the promulgation process.

This rule extends the zero bag limit and defines the size limit as “none, catch and release only.” Once a permanent rule is promulgated, it would supersede the emergency rule, with the catch-and-release regulation extended through April 1, 2025, followed by a limited harvest regulation based on the most current walleye population data and angler preferences.

The Lac du Flambeau Tribe has also committed to maintaining a catch-and-release regulation for tribal fishers as long as the state has the same regulation in place. If this regulation lapses, the size and bag

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limit will increase potentially unsustainably for state anglers, and tribal members will be able to harvest and spear walleye on the Minocqua Chain. Increased harvest from all parties could decimate the Minocqua Chain walleye population.

## **6. Summary of, and Comparison with, Existing or Proposed Federal Statutes and Regulations:**

No federal regulations apply. States possess inherent authority to manage the fishery and wildlife resources within their boundaries, except insofar as preempted by federal treaties and laws, including regulations established in the Federal Register.

## **7. If Held, Summary of Comments Received During Preliminary Comment Period and at Public Hearing on the Statement of Scope:**

The department was not directed to hold a preliminary public hearing on the statement of scope for this rule.

However, during the permanent rule hearing and comment period, the department received spoken and written comments mostly in support of continuing the catch-and-release regulation. During the public hearing stage of this rule, the department received three spoken comments (2 in favor of the rule, 1 not stating a position) during the public hearing, 2 written comments in favor of the rule, 2 written comments opposed to the rule, and 1 written comment not stating a position on the rule. In addition, public questionnaires in 2019 and 2020 indicated support for extending the catch-and-release regulation, with about 90% support in 2019 (435 respondents) and 68% support in 2020 (323 respondents).

## **8. Comparison with Similar Rules in Adjacent States:**

Fisheries management rules are generally similar in the states surrounding Wisconsin. Each bordering state regulates fishing by the use of seasons, bag limits and size limits. Specific seasons and bag and size limits may differ for species among the surrounding states, but the general principles are the same. Michigan, Minnesota, Iowa, and Illinois all have statewide seasons and bag and size limits for fish species, along with special or experimental regulations on individual waters.

Notably, Minnesota established a catch-and-release-only regulation for walleye on Mille Lacs to address walleye population decline and low walleye recruitment. The catch-and-release-only season was in effect for three years. The Minnesota DNR manages Mille Lacs jointly with the Ojibwe tribes, similar to the cooperative approach for managing the Minocqua Chain by the Wisconsin DNR and Ojibwe tribes.

## **9. Summary of Factual Data and Analytical Methodologies Used and How Any Related Findings Support the Regulatory Approach Chosen:**

The Minocqua Chain is comprised of 6 lakes and encompasses just over 5,880 acres of water. Gamefish species include musky, walleye, largemouth and smallmouth bass, and northern pike. Panfish species include bluegill, black crappie, yellow perch, and pumpkinseed. The chain is centered on the Town of Minocqua and receives a great deal of pleasure boat traffic and fishing pressure, due to the area being a highly regarded tourist destination.

Historically, walleye reproduced naturally on Lakes Minocqua and Kawaguesaga (Tomahawk has a long history of walleye stocking); however, recruitment failures were documented in these lakes through the mid-2000s with a commensurate decline in adult walleye numbers. A comprehensive stocking plan was initiated for Lakes Minocqua and Kawaguesaga beginning in 2012 which included stocking large

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fingerling walleye in odd-numbered years. In even-numbered years, Lake Tomahawk receives large fingerling walleye.

A stakeholder group has been monitoring this fishery closely over the past 5 years. This group developed a management plan with specific goals to be met by 2025. The plan defined a goal of 3 adult walleye per acre in Lakes Minocqua and Kawaguesaga lakes by 2021 and 2 adult walleye per acre in Lake Tomahawk by 2021. Additionally, the plan identified a natural reproduction benchmark of 10 – 15 young-of-year walleye captured per mile of shoreline on all lakes in the chain. A ‘catch and immediate release’ walleye regulation was established for the Minocqua Chain in 2015 to help achieve these goals. The department has conducted surveys of walleye populations frequently during the past several years, and the catch-and-release regulation was based on fall electrofishing data collected between 2014-2019, and walleye population estimates conducted in 2009, 2015, 2019, 2020 and 2021.

Stocking efforts and periodic monitoring of the fishery show that the chain is responding in a positive direction. A local stakeholder group with representatives from DNR Fisheries Management, Great Lakes Indian Fish and Wildlife Commission (GLIFWC), Wisconsin Valley Improvement Company, Lac du Flambeau Tribe, Walleyes For Tomorrow and three lake associations have met regularly to monitor progress on this project. By recommendation of this group, the catch-and release regulation was extended through 2021 to allow the department and partners time to discuss permanent regulation options that would be best suited to building a sustainable walleye fishery with sufficient natural reproduction and recruitment. The partner group also strongly favored continuation of the catch-and-release regulation until 2025 since the walleye population had not yet achieved natural reproduction by 2021.

#### **10. Analysis and Supporting Documents Used to Determine the Effect on Small Business or in Preparation of an Economic Impact Report:**

The department anticipates a minimal economic impact, if any, as a result of this rule. Catch-and-release fishing has been in place for the past six years, so this rule will not immediately change the types of fishing activities that anglers and local businesses can conduct. Because this rule will allow limited harvest after several years of catch-and-release-only fishing under previous rules, local anglers and businesses are not anticipated to experience any negative economic impacts, and may experience a slight economic benefit from the rehabilitated fishery.

#### **11. Effect on Small Business (initial regulatory flexibility analysis):**

This rule will mainly affect individual anglers and will not impose implementation or compliance costs on small businesses. The proposed rule is expected to have a minimal economic impact, if any, since it is not changing the existing regulations. No expenses are imposed on businesses, business associations, public utility rate payers, or local governmental units as a result of this rule. No additional compliance or reporting requirements will be imposed on small businesses as a result of these rule changes.

**12. Agency Contact Person:** John Kubisiak, 107 Sutliff Ave, Rhinelander, WI 54501; (715) 360-0888; [John.Kubisiak@wisconsin.gov](mailto:John.Kubisiak@wisconsin.gov) and Todd Kalish, P.O. Box 7921, Madison, WI 53707; [Todd.Kalish@wisconsin.gov](mailto:Todd.Kalish@wisconsin.gov); 608-225-5826

#### **13. Place where comments are to be submitted and deadline for submission:**

Written comments may be submitted at the public hearings, by regular mail, or email to:  
Meredith Penthorn  
Department of Natural Resources  
P.O. Box 7921

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Madison, WI 53707  
 608-316-0080  
 Meredith.Penthorn@wisconsin.gov

Comments may be submitted to the department contact person listed above or to DNRAdministrativeRulesComments@wisconsin.gov until the deadline given in the upcoming notice of public hearing. The notice of public hearing and deadline for submitting comments will be published in the Wisconsin Administrative Register and on the department's website, at <https://dnr.wi.gov/calendar/hearings/>. Comments may also be submitted through the Wisconsin Administrative Rules Website at <https://docs.legis.wisconsin.gov/code/chr/active>.

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## RULE TEXT

### SECTION 1. NR 20.20 (44) (g) 3. is amended to read:

COUNTY AND SPECIES	WATERS	AUTHORIZED METHODS	OPEN SEASON (BOTH DATES INCLUSIVE)	DAILY BAG LIMIT	MINIMUM LENGTH OR OTHER SIZE RESTRICTIONS (INCHES)
<b>(44) ONEIDA</b> (For species or waters not listed, see sub. (73)).					
(g) Walleye, sauger and hybrids	3. Minocqua chain (Jerome lake, Kawaguesaga lake, Mid lake, Minocqua lake, Mud lake, Minocqua thoroughfare, Tomahawk thoroughfare, Little Tomahawk lake, Tomahawk lake, and connecting waters combined)	a. Hook and line	First Saturday in May to the first Sunday in March	0, catch and release only; <del>until April 1,</del> 2020, when it becomes 2 in total	<del>On April 1,</del> <del>2020 the size</del> <del>limit becomes</del> 18 <u>None, catch</u> <u>and release only</u>

**SECTION 2. STATEMENT OF EMERGENCY.** The department finds that an emergency rule is necessary to protect the welfare of state and tribal fishers by adequately protecting walleye from harvest through the establishment of appropriate regulations. Pursuant to treaties signed between the six Wisconsin bands of Lake Superior Ojibwe and the United States and affirmed by Lac Courte Oreilles v Voigt, 700 F. 2d 341 (7th Cir. 1983), the bands have the right to harvest fish from off-reservation waters, including the Minocqua Chain of Lakes in Oneida County, using

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efficient methods such as spearing and netting. However, state and tribal fishers have agreed to several years of no-harvest walleye regulations for the Minocqua chain to help rehabilitate the walleye population. In the absence of this rule, higher harvest pressure could destabilize the walleye population, compromising efforts to create and maintain a self-sustaining, fishable walleye population and good opportunities for recreational fishing. An emergency rule is necessary to extend the harvest prohibition for additional time to maintain regulatory consistency and walleye protection while the corresponding permanent rule is in its final stages of promulgation.

**SECTION 3. EFFECTIVE DATE.** This rule takes effect upon publication in the official state newspaper, as provided in s. 227.24(1)(c), Stats.

**SECTION 4. BOARD ADOPTION.** This rule was approved and adopted by the State of Wisconsin Natural Resources Board on [DATE].

Dated at Madison, Wisconsin \_\_\_\_\_.

STATE OF WISCONSIN

DEPARTMENT OF NATURAL RESOURCES

BY \_\_\_\_\_

For Preston D. Cole, Secretary

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