



NR 10

State of Wisconsin

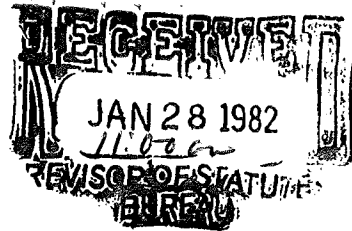
DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

BOX 7921
MADISON, WISCONSIN 53707

IN REPLY REFER TO: _____

STATE OF WISCONSIN)
)
DEPARTMENT OF NATURAL RESOURCES) SS



TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Carroll D. Besadny, Secretary of the Department of Natural Resources and custodian of the official records of said Department, do hereby certify that the annexed copy of Natural Resources Board Order No. G-35-81 was duly approved and adopted by this Department on August 26, 1981. I further certify that said copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at General Executive Facility #2 in the City of Madison, this 28th day of January, 1982.

Carroll D. Besadny
Carroll D. Besadny, Secretary

(SEAL)

4-1-82

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

.....
IN THE MATTER of repealing s. NR 10.01(1)(b), (c) & (g);
renumbering s. NR 10.01(1)(q); amending s. NR 10.01(1)(1)(5);
repealing and recreating ss. NR 10.01(1)(1)2.b.1) & 2) and
6. and 10.12(5)(d); and creating ss. NR 10.001(18), (19) & (20) G-35-81
and 10.01(1)(q) to (s) of the Wisconsin Administrative Code
pertaining to the 1981 migratory bird season
.....

Analysis Prepared by Department of Natural Resources

Following are the significant changes for the 1981 migratory bird season:

1. To equitably distribute the harvest, it is necessary to determine the Canada goose kill in a 16-county area (MVP Area) where the majority of Canada geese congregate during their fall migration. A system of free permits in these 16 counties (except those portions described in NR 10.01(1)(j) and (k)) is proposed in this rule. Permits will be free, self-completed and nontransferable. Reports will be required from a selected sample of the permittees. A harvest estimate will be derived from these reports.
2. Permit procedures for the Horicon and Central Zones are similar to 1980. The number of permits to be issued are:
 - a. Horicon - 22,300 (Two periods: October 4-31 and November 1-22, 1981)
 - b. Central - 19,200
3. Toxic shot (lead) has been identified as a health hazard to feeding waterfowl in several locations of the state. Eaten as grit by waterfowl, lead poisoning can occur resulting in the deaths of significant numbers of migratory birds each year. Specific zones have been identified which will require hunters to use nontoxic shot (steel) in shotshells for all gauges of shotguns.

Pursuant to the authority vested in the State of Wisconsin Natural Resources Board by ss. 29.085, 29.174, 227.014 and 227.02(1)(b), Stats., the State of Wisconsin Natural Resources Board hereby repeals, renumbers, amends, repeals and recreates, and creates rules interpreting ss. 29.085 and 29.174, Stats., as follows:

SECTION 1. NR 10.001(18), (19) and (20) are created to read:

(18) "Water" in non-toxic shot zones means lakes, ponds, marshes, swamps, rivers, streams, and drainage ditches except for temporary sheet water. All county boundary waters and lakes partially within a non-toxic shot zone are totally included except the open water of Green Bay and Lake Michigan and the Wisconsin river outside Columbia county.

(19) "Non-toxic shot" means steel shot.

(20) "Goose zones and areas" means those established in s. NR 10.01(1)(i) through (t).

SECTION 2. NR 10.01(1)(b), (c) and (g) are repealed.

SECTION 3. NR 10.01(1)(1)2.b.1) and 2) are repealed and recreated to read:

1) Beginning on the first day of the season established in par. (g) and continuing through October 31.

2) Beginning on November 1 and continuing through the last day of the season established in par. (g).

SECTION 4. NR 10.01(1)(1)5. is amended to read:

5. ~~Permits~~ 1981 permits issued. a. Horicon zone - ~~25,000~~ 22,300
b. Central zone - ~~30,300~~ 19,200 c. MVP area - unlimited

SECTION 5. NR 10.01(1)(1)6. is repealed and recreated to read:

6. 'Tagging requirements'. When a Canada goose is killed, captured or taken in any lawful manner and before it is carried by hand or transported in any manner the hunter shall:

- a. Completely attach and seal the paper tag, utilizing its own adhesive, to the neck of the goose.
- b. Validate the permit by tearing or cutting out notches on the tag designating the month, day and time of kill. Failure to follow the validation procedure in this manner invalidates the permit.
- c. No person may possess or transport a Canada goose unless it is tagged with a validated tag.

SECTION 6. NR 10.01(1)(q) is renumbered 10.01(1)(t).

SECTION 7. NR 10.01(1)(q) through (s) are created to read:

(q) The following described area is established as the MVP (Mississippi valley population) goose management area: Adams, Calumet, Columbia, Dodge, Fond du Lac, Green Lake, Jefferson, Juneau, Manitowoc, Marquette, Outagamie, Sheboygan, Washington, Waushara, Winnebago and Wood counties except those portions described in pars. (j) and (k).

(r) MVP goose management area restrictions. 1. 'Canada goose permit requirement'. It is unlawful to hunt or possess Canada geese without being in possession of a Canada goose hunting permit and valid state hunting license.

2. 'Permit application procedures'. The application portion of the form supplied by the department shall be completed and submitted to the department by the applicant prior to hunting Canada geese. The self-completed permit portion of the application shall be retained by the applicant.

3. 'Permit procedures'. The self-completed permit is not transferable and may not be altered or defaced.

4. 'Reporting requirements'. Permit holders may be required to provide to the department a goose hunting report. Such report forms will be mailed only to selected hunters. The selected hunter shall be required to complete and mail the report within 24 hours of receipt.

(s) The following described area is established as the Mississippi river zone: All that part of the state lying west of the Burlington Northern railway and extending southerly from Prescott in Pierce county to the state line.

SECTION 8. NR 10.12(5)(d) is repealed and recreated to read:

(d) Non-toxic shot requirements. 1. While hunting waterfowl and coot within any area described in part 2 of this subsection, no person may:

a. Take, catch, kill or pursue waterfowl and coot with any shotshells loaded with any metal other than non-toxic shot.

b. Possess any shotshell loaded with any metal other than non-toxic shot.

2. Non-toxic shot zones. a. Mississippi river. In that portion of the state lying west of the Burlington Northern railway in Buffalo, Crawford, Grant, La Crosse, Pepin, Pierce, Trempealeau and Vernon counties and all federal lands posted by the U. S. fish and wildlife service lying east of the railway in these same counties.

b. Eastern Wisconsin. In the Horicon and Central zones, shotshells containing non-toxic shot shall be required wherever hunting waterfowl and coot. Outside of these 2 zones, shotshells containing non-toxic shot shall be required on all waters and all areas within 150 yards of these waters in the

counties of Calumet, Columbia, Dodge, Fond du Lac, Green Lake, Jefferson, Manitowoc, Marquette, Milwaukee, Outagamie, Ozaukee, Racine, Sheboygan, Walworth, Washington, Waukesha, Waupaca, and Winnebago.

c. Green Bay. The west 500 feet of Green Bay waters, all Brown county islands in Green Bay, all waters in Brown county northwest of the Fox river and east of U.S. highway 141, all waters of Oconto and Marinette counties east of U.S. highway 41 and all areas within 150 yards of these waters.

d. State wildlife areas. Within the zones described in subpars. b. and c., shotshells containing non-toxic shot are required for hunting waterfowl and coot anywhere on state-owned wildlife areas and on the following state wildlife areas: Mead in Marathon, Wood and Portage counties; Wood County and Sandhill in Wood county; and Meadow Valley in Juneau and Monroe counties.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on August 26, 1981.

The rules contained herein shall take effect as provided in s. 227.026(1)(intro.), Stats.

Dated at Madison, Wisconsin January 28, 1982

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By

Carroll D. Besadny
Carroll D. Besadny, Secretary

(SEAL)



State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

January 26, 1982

BOX 7921
MADISON, WISCONSIN 53707

IN REPLY REFER TO: 1020

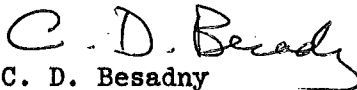
Mr. Orlan L. Prestegard
Revisor of Statutes
411 West
C A P I T O L

Dear Mr. Prestegard:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. G-35-81. These rules were reviewed by the Assembly Committee on Tourism and Recreation and the Senate Committee on Agriculture and Natural Resources pursuant to s. 227.018, Stats. There were no recommendations for modifications.

You will note that this order takes effect following publication. Kindly publish it in the Administrative Code accordingly.

Sincerely,


C. D. Besadny
Secretary

Enc.