

CR 86-140

State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

STATE OF WISCONSIN)
)
DEPARTMENT OF NATURAL RESOURCES) SS

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Bruce B. Braun, Deputy 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. WM-45-86 was duly approved and adopted by this Department on August 28, 1986. 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 11th day of November, 1986.

Bruce B. Braun
Bruce B. Braun, Deputy Secretary

(SEAL)

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

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IN THE MATTER of repealing s. NR 10.001(28);
repealing and recreating ss. NR 10.01(1)(a),
(b), (g), (L)2.b. and 5., (tm)3., (u)1. and
10.12(5)(d); and creating s. NR 10.01(1)(L)3.c.
of the Wisconsin Administrative Code
pertaining to the 1986 migratory game bird
season.
.....

WM-45-86

Analysis Prepared by Department of Natural Resources

The rules are promulgated under the authority of ss. 29.174(3) and 227.11(2)(a), Stats., and interpret ss. 29.085 and 29.174(1) and (2), Stats.

The proposed rules establish the regulations for the 1986 migratory bird season. The significant regulations are:

• Duck Season. The federal framework allows a zoned duck season for Wisconsin. The zones are delineated by an east-west line crossing the state approximately on U.S. Highway 10. The zoned duck season allows a continuous season to be set in the north where freezing weather limits opportunity while permitting a split season in the south.

The 40-day season in the north begins at noon on October 4 and runs continuously through November 12. The southern season opens at noon on October 4 and continues through October 10 and, following a 7-day closed period, reopens October 17 and continues through November 18. Wisconsin again chose the point system option. Drake mallard ducks are 35 points throughout the season and the season on canvasback ducks is closed.

• Canada Geese. The statewide zone line divides the state into 4 basic zones (northwest, northeast, southwest and southeast). However, other special goose management zones include: Horicon, Central, combined Horicon-Central, Brown County, Burnett County, New Auburn, Rock Prairie, Mississippi and Theresa.

The length will be 50 days for the Horicon, Central, combined Horicon-Central, and Theresa Zones, 20 days for the northwest and southwest zones, and 12 days for the remainder. A special Canada goose season allows 70 days of hunting on the Mississippi River. Late Canada goose seasons will extend for 30 days in Rock Prairie and 31 days in the Brown County Zone. However, the experimental Theresa Zone will be closed when the registered Canada goose harvest reaches 2,000.

Permits and tags are required in the Horicon, Central, combined Horicon-Central, and Theresa Zones. A free self-completed permit will again be provided in the 14-county MVP Goose Management Area (east-central Wisconsin). Permit limits are established for Horicon (23,100) and Central (13,900) and combined Horicon-Central (3,000) Zones.

• Other geese. The season for geese other than Canada geese will occur concurrent with the 40-day duck season and Canada goose seasons.

• Related rules. Falconry seasons are adjusted. DNR's authority to issue additional Canada goose hunting permits and tags to successful applications if applications are undersubscribed is clarified. Nontoxic shot will be required for all waterfowl hunting in 1987. The Burnett County nontoxic shot rules are repealed pending statewide implementation, but those rules will be established for Juneau County in 1986 to comply with federal rules.

SECTION 1. NR 10.001(28) is repealed.

SECTION 2. NR 10.01(1)(a), 10.01(1)(b), 10.01(1)(g), 10.01(1)(L)2.b., 10.01(1)(L)5., and 10.01(1)(tm)3. are repealed and recreated to read:

20 points: scaup,
blue-winged teal,
green-winged
teal, gadwall,
wigeon, shoveler,
and all other
mergansers

Kind of animal	Locality	Open season (all dates inclusive)	Daily bag limit	Possession limit
NR 10.01(1)(g) <u>Geese</u> . 1. Canada geese and its subspecies	a. Northwest zone except for subpars. b.-d. - All that part of Wisconsin lying north and west of a line beginning at the junction of the center line of the western state boundary or the Mississippi river and the center line of the Chippewa river, then north on the Chippewa river's center line to its junction with state highway 35, then east on state highway 35 to its junction with state highway 25, then north on state highway 25 to its junction with U.S. highway 10, then east on U.S. highway 10 to its junction with the east boundary of Clark county, then north along the east boundary of Clark county and continuing north along the east boundaries of Taylor, Price and Iron counties to the north state boundary.	Oct. 4 at 12:00 noon-Oct. 23	1	2
	b. Northern part of the Mississippi river zone as described in par. (s)	Oct. 4 at 12:00 noon-Nov. 24; Nov. 25-Dec. 12	1 2	2 4
	c. Burnett county zone as described in par. (m)	None	None	None
	d. New Auburn zone as described in par. (o)	None	None	None
	e. Northeast zone except for subpar. f. - All that part of Wisconsin lying east of the northwest zone described in subpar. a. and north of U.S. highway 10 and a line extending east from the city of Manitowoc to the state line.	Oct. 4 at 12:00 noon-Oct. 15	1	2

	f. Brown county zone as described in par. (n)	Oct. 4 at 12:00 noon-Oct. 15; Dec. 1-31	1 2	2 4
	g. Southeast zone except for subpara. h.-l. - All that part of Wisconsin lying south of the northeast zone described in subpar. e. and east of the boundaries of Clark, Jackson, Monroe, Vernon, Richland, Iowa, and Lafayette counties.	Oct. 25-Nov. 5	1	2
	h. Horicon zone as described in par. (j)	Two permit periods: Oct. 1-3 and Oct. 4 at 12:00 noon-Oct. 19; Oct. 13-Nov. 9		The daily and possession limits are restricted by a season limit of one
	i. Central zone as described in par. (k)	Oct. 4 at 12:00 noon-Nov. 9		The daily and possession limits are restricted by a season limit of one
	j. Theresa zone as described in par. (t)	Two permit periods: Oct. 1-3 and Oct. 4 at 12:00 noon-Oct. 5; Oct. 6-Nov. 19 or until registered harvest reaches 2,000, whichever occurs first	1	The daily and possession limits are restricted by a period limit of one The possession and season limits are 4
	k. Rock prairie zone as described in par. (p)	Oct. 25-Nov. 5; Nov. 8-Dec. 7	1	2
	l. Combined Horicon and Central zones	Dec. 1-10		The daily and possession limits are restricted by a season limit of two
	m. Southwest zone except as described in subpar. n. - All that part of Wisconsin lying south of the northwest zone described in subpar. a. and west of the southeast zone described in subpar. g.	Oct. 4 at 12:00 noon-Oct. 10; Oct. 17-Oct. 29	1	2
	n. Southern part of the Mississippi river zone as described in par. (s)	Oct. 4 at 12:00 noon-Oct. 10; and Oct. 17-Nov. 24; Nov. 25-Dec. 18	1 2	2 4
2. All other species	a. Entire state	Concurrent with the wild duck and Canada goose seasons established in pars. (b) and (g)		A total of 5 including 2 white-fronted geese and not more than the established daily limit for Canada geese or its subspecies during the open season on Canada geese A total of 10 including 4 white-fronted geese and not more than the established possession or season limit on Canada geese or its subspecies during the open season on Canada geese

NR 10.01(1)(L)2.b. In the Horicon and Central zones, applicants may indicate preference for the following seasons as established in par. (g):

- 1. Horicon Zone Oct. 1-3 and Oct. 4 (noon) - Oct. 19; or
- 2. Horicon Zone Oct. 13 - Nov. 9; or
- 3. Central Zone Oct. 4 (noon) - Nov. 9; or
- 4. Combined Horicon and Central Zones Dec. 1-10

5. Permit quota. The department shall issue the following numbers of Canada goose permits for the 1986 hunting season:

- a. Horicon Zone - 23,100
- b. Central Zone - 13,900
- c. Combined Horicon and Central Zones - 3,000

NR 10.01(1)(tm)3. Permit issuance procedures. All eligible applicants shall receive a Theresa zone hunting permit and one carcass tag through October 5. Additional carcass tags may be obtained from the department station located adjoining the village of Theresa station after October 5 provided the harvest quota has not been reached. Horicon and central zone permit holders may also hunt in the Theresa zone provided the Theresa zone quota has been reached and the Horicon and central zone permits are still valid. Permits and tags are not transferable or replaceable and may not be reused, altered or defaced.

SECTION 3. NR 10.01(1)(L)3.c. is created to read:

NR 10.01(1)(L)3.c. If the number of permit applications is less than the number of permits available, the department may issue the remaining permits to eligible applicants by random selection.

SECTION 4. NR 10.01(1)(u)1. is repealed and recreated to read:

Kind of animal	Locality	Open season (all dates inclusive)	Daily bag limit	Possession limit
1. All species of wild duck except as provided in par. (a), mergansers and coots	Entire state	Oct. 4 at 12:00 noon through Jan. 18	3	6

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

NR 10.12(5)(d) Nontoxic shot requirements. While hunting waterfowl and coot within any area of the state, no person may:

- 1. Take, catch, kill or pursue waterfowl and coot with any shotshell loaded with any material other than nontoxic shot.
- 2. Possess any shotshell loaded with any material other than nontoxic shot.

Note: Muzzle-loading firearms are not restricted by this rule because shotshells are not part of their mechanism.

The foregoing rules were approved and adopted by the Natural Resources Board on August 28, 1986.

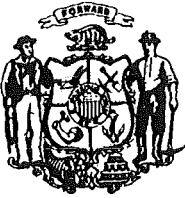
The rules shall take effect as provided in s. 227.22(2) (intro), Stats.

Dated at Madison, Wisconsin November 11, 1986

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By Carroll D. Besadny
Carroll D. Besadny, Secretary

(SEAL)
2615M



State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

November 10, 1986

IN REPLY REFER TO: 1020

Mr. Orlan L. Prestegard
Revisor of Statutes
Suite 904
30 W. Mifflin Street

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Dear Mr. Prestegard:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. WM-45-86. These rules were reviewed by the Assembly Committee on Tourism, Recreation and Forest Productivity and the Senate Committee on Energy and Environmental Resources pursuant to s. 227.19, Stats. Summaries of the final regulatory flexibility analysis and comments of the legislative review committees is also enclosed.

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

Sincerely,

A handwritten signature in cursive script that reads "C. D. Besadny".

C. D. Besadny
Secretary

Enc.
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