

CR 90-132



State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES


Carroll D. Besadny, Secretary
Box 7921
Madison, Wisconsin 53707
TELEFAX NO. 608-267-3579
TDD NO. 608-267-6897

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-26-90 was duly approved and adopted by this Department on August 23, 1990. 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 the Natural Resources Building in the City of Madison, this 5th day of December, 1990


Bruce B. Braun, Deputy Secretary

(SEAL)

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4-1-91

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

.....
IN THE MATTER of repealing s. NR 15.01(20)(a);
amending s. NR 10.12(4)(a); repealing and
recreating ss. NR 10.01(1)(b) and (g); and creating. WM-26-90
s. NR 10.125(7) of the Wisconsin Administrative
Code pertaining to the 1990 migratory game bird
season and game refuges.
.....

Analysis Prepared by Department of Natural Resources

Statutory authority: ss. 29.174(3) and 227.11(2)(a), Stats.

Statutes interpreted: ss. 29.085, 29.174(1) and (2), Stats.

The proposed rules establish the regulations for the 1990 migratory bird season. The significant regulations are:

- Ducks. The state is divided into two zones each with 30-day seasons. The season south of U. S. Highway 10 begins at noon October 6 and continues through October 9 and, following a 7-day closed period, reopens October 17 and continues through November 11. The season north of U. S. Highway 10 begins at noon October 6 and continues through November 4.
- Canada Geese. The state is apportioned into 5 major goose hunting zones: Horicon, Collins, Pine Island, Theresa and Exterior. Other special goose management subzones are created within the Exterior Zone and include Brown County, Burnett County, New Auburn, Rock Prairie and the Mississippi River.

The season length for Horicon is 77 days, Collins 61 days, Pine Island 70 days and 70 days for the Exterior Zone. The Theresa Zone continues for 61 days or closes when the registered Canada goose harvest reaches 6,000, whichever occurs first.

A special Canada goose season allows 70 days of hunting on the Mississippi River. Late Canada goose seasons will extend for 9 days in the Rock Prairie and 31 days in the Brown County subzones. The Burnett County and New Auburn subzones are closed to Canada goose hunting.

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- . Moves the 1991 permit application deadline for the Canada goose tag zones to the last friday in August and provides the authority for the secretary of the department to close all or part of any goose season.
- . The requirement that goose hunters must hunt from a blind on private lands within the Collins Zone is eliminated.
- . Repealing game refuge status for the Wisconsin Rapids area girl scout council grounds.

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

Kind of animal	Locality	Open season (all dates inclusive)	Daily bag limit	Possession limit
NR 10.01(1)(b) <u>All species of wild duck and mergansers except as established in par. (a)</u>	Entire state	As established by zone	3 ducks to include not more than 2 mallards of which only one may be a hen mallard, one pintail, one redhead, one black duck, and 2 wood ducks; 5 mergansers to include not more than one hooded merganser.	Double the daily bag limit through the entire open season, except opening day when it is the same as the daily bag limit.
	South zone as established in s. NR 10.32	Oct. 6 at 12:00 noon-Oct. 9 and Oct. 17-Nov. 11		
	North zone as established in s. NR 10.21	Oct. 6 at 12:00 noon-Nov. 4		

Kind of animal	Locality	Open season (all dates inclusive)	Daily bag limit	Possession limit
NR 10.01(1)(g) Geese. 1. Canada geese and its subspecies	a. All that part of the exterior zone lying north of the highway boundaries established in s. NR 10.32 except for the subzones described in subpars. b.-e.	Sept. 22-Oct. 5 and Oct. 6 at 12:00 noon-Nov. 30	1	2
			2	4
	b. Mississippi river subzone north of a line extending from the Chippewa river's center line	Oct. 6 at 12:00 noon-Nov. 4;	1	2
		Nov. 5-Nov. 12;	2	4
		Nov. 20-Dec. 21	2	4
c. Burnett county subzone	None	None	None	
d. New Auburn subzone	None	None	None	
e. Brown county subzone		Sept. 22-Oct. 5;	1	2
		Oct. 6 at 12:00 noon-Nov. 30;	2	4
		Dec. 1-Dec. 31	3	6

Kind of animal	Locality	Open season (all dates inclusive)	Daily bag limit	Possession limit
	f. All that	Sept. 22-Oct. 5 and	1	2
	part of	Oct. 6 at 12:00		
	the ex-	noon-Nov. 30	2	4
	terior			
	zone ly-			
	ing south			
	of the			
	highway			
	boundary			
	estab-			
	lished in			
	s. NR 10.32			
	except for			
	the zones			
	and subzones			
	described			
	in sub-			
	pars. g.-			
	l.			
	g. Horicon	Four permit		
	zone	periods:		
		Sept. 22-Oct. 5		
		and Oct. 6 at 12:00		
		noon-Oct. 28;	2	
		Oct. 6 at 12:00 noon		
		-Nov. 11;	2	
		Oct. 13-Nov. 16;	2	
		Nov. 26-Dec. 16	2	
				The posses-
				sion limit
				is restrict-
				ed by a
				season limit
				correspond-
				ing to the
				number of
				carcass tags
				issued.
	h. Collins	Four permit		
	zone	periods:		
		Sept. 22-Oct. 5 and		
		Oct. 6 at 12:00		
		noon-Oct. 7;	2	
		Oct. 8-Oct. 21;	2	
		Oct. 22-Nov. 4;	2	
		Nov. 5-Nov. 16 and		
		Nov. 26-Nov. 30	2	
				The posses-
				sion limit
				is restrict-
				ed by a
				season limit
				of 5.

Kind of animal	Locality	Open season (all dates inclusive)	Daily bag limit	Possession limit
i. Pine Island zone		Four permit periods: Sept. 22-Oct. 5 and Oct. 6 at 12:00 noon-Oct. 7; Oct. 8-Oct. 21; Oct. 22-Nov. 4; Nov. 5-Nov. 30	2 2 2 2	The possession limit is restricted by a season limit of 5.
j. Theresa zone		Sept. 22-Oct. 5 and Oct. 6 at 12:00 noon-Nov. 16 and Nov. 26-Nov. 30; or until registered harvest reaches 6,000, whichever occurs first	Limited to one goose per 5-day period. The first goose at anytime; each succeeding goose may not be taken sooner than 5 days thereafter.	The possession limit is restricted by a season limit of 6.
k. Rock Prairie subzone		Sept. 22-Oct. 5; Oct. 6 at 12:00 noon-Nov. 4; Nov. 5-Dec. 9	1 2 1	2 4 2
l. Mississippi river subzone south of a line extending from the Chippewa river's center line		Oct. 6 at 12:00 noon-Oct. 9; Oct. 17-Nov. 11; Nov. 12-Dec. 21	1 1 2	2 2 4

Kind of animal	Locality	Open season (all dates inclusive)	Daily bag limit	Possession limit
2. Snow and blue geese	Entire state	Concurrent with the Canada goose seasons established in subd. 1 except for the Brown County subzone where the season ends Nov. 30	A total of 7 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 14 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
3. All other geese and brant	Entire state	Concurrent with the Canada goose seasons established in subd. 1 except for the Brown County and Rock Prairie subzones where the season ends Nov. 30; and except for the Horicon Zone where the season ends Dec. 9	A total of 7 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 14 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

SECTION 2. ss. NR 10.12(4)(a) and 10.125(1)(e)1. are amended to read:

NR 10.12(4)(a) Zone restrictions. On any land within the Horicon intensive management subzone established in s. NR 10.31(5) and on private land, unless leased by the department for public hunting, within the ~~Collins and Theresa zones~~ zone

established in s. NR 10.31(3) and (10), no person may hunt geese except from a blind unless they are a disabled person located no more than 20 feet from the blind and in possession of a class A permit issued by the department.

NR 10.125(1)(e)1. Deadline. Collins, Horicon, Pine Island and Theresa zone applications shall be postmarked no later than the ~~first~~ last Friday in ~~September~~ August or hand delivered to the department license section no later than 4:30 p.m. on that Friday each year.

SECTION 3. NR 10.125(7) is created to read:

NR 10.125(7) Season closure. The secretary of the department may close a portion or all of any Canada goose season established in NR 10.01(1)(g) upon a finding by the department that the harvest for that season will exceed the level authorized by U. S. Fish and Wildlife Service. Closure shall become effective upon issuance of an order and publication in the official state newspaper.

SECTION 4. NR 15.01(20)(a) is repealed.

The foregoing rules are approved and adopted by the Natural Resources Board on August 23, 1990, 1990.

The rules shall take effect on the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.11(2)(intro.), Stats.

Dated at Madison, Wisconsin

December 4, 1990

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By

Carroll D. Besadny
Carroll D. Besadny, Secretary

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December 4, 1990

Mr. Gary L. Poulson
Assistant Revisor of Statutes
119 Martin Luther King, Jr., Blvd.

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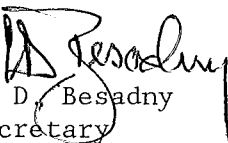
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Dear Mr. Poulson:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. WM-26-90. These rules were reviewed by the Assembly Committee on Tourism, Recreation and Government Operations and the Senate Committee on Transportation, Conservation and Mining pursuant to s. 227.19, Stats. Summaries of the final regulatory flexibility analysis and comments of the legislative review committees are also enclosed.

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

Sincerely,


C. D. Besadny
Secretary

Enc.