



CR 91-58

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

101 South Webster Street
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STATE OF WISCONSIN)
)
DEPARTMENT OF NATURAL RESOURCES) ss

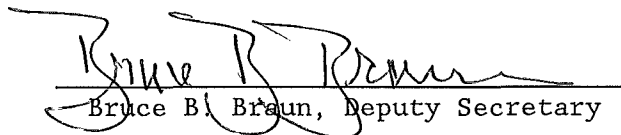
TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

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. FM-25-91 was duly approved and adopted by this Department on June 27, 1991. 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 here-
unto set my hand and affixed the
official seal of the Department at
the Natural Resources Building in
the City of Madison, this 3rd
day of September, 1991.

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Bruce B. Braun, Deputy Secretary

(SEAL)

11-1-91

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD
CREATING RULES

.....
IN THE MATTER of creating s. NR 20.038 of
the Wisconsin Administrative Code pertaining
to angling restrictions on waters of the
Lac du Flambeau Reservation
.....

FM-25-91

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Analysis Prepared by Department of Natural Resources

Statutory authority: ss. 29.174(2)(a) and 227.11(2)(a), Stats.
Statutes interpreted: s. 29.174(2)(a), Stats.

The rule establishes a daily bag limit of 3 for walleye and a 40" minimum size for muskellunge on lakes wholly or partially within the Lac du Flambeau (LDF) Reservation, effective until March 1, 1992, and potentially thereafter if additional agreements with the Lac du Flambeau Band are reached. The rule is the State response to LDF Tribal Resolution 74(91), wherein LDF offers to downgrade its 1991 treaty harvest declarations on 49 off-reservation lakes. The Tribal Resolution will allow the Department to enact a daily bag of 3 walleye on these off-reservation waters, which would otherwise have been subject to a 2 walleye bag limit. A 3 walleye bag limit is known to have wider acceptance, and will minimize the chance of social and economic disruption in the region.

SECTION 1. NR 20.038 is created to read:

NR 20.038 SPECIAL SIZE AND BAG LIMITS FOR LAC DU FLAMBEAU RESERVATION.

(1) Notwithstanding bag and size limits established by ss. NR 20.02 and 20.037, there is a bag limit of 3 walleye and a minimum size limit for muskellunge of 40", effective until March 1, 1992, on lakes wholly or partially within the following area, commonly known as the Lac du Flambeau reservation:

(a) Iron county - T41N-R4E - sections 1-4, 10-16, 21-28 and 33-36.

(b) Vilas county - T40N-R4E - sections 1-3, 10-15, 22-27 and 34-36; T40N-R5E - All except NE section 1, NW/NW section 5, NE section 6; T40N-R6E - sections 5-8, 17-20 and 29-32.

(2) The bag limit of 3 walleye and minimum size limit of 40" may be extended by the secretary beyond March 1, 1992 if future agreements are reached with the Lac du Flambeau band which limit their off-reservation harvest goals to a level allowing a state walleye bag limit of 3 when calculated pursuant to s. NR 20.037. Adjustments to the on-reservation bag and size limits shall become effective upon publication of the adjustment in the official newspapers of Vilas and Oneida counties.

The foregoing rule was approved and adopted by the State of Wisconsin Natural Resources Board on June 27, 1991

The rules shall take effect on the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22(2)(intro.), Stats.

Dated at Madison, Wisconsin

September 3, 1991

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By

Carroll D. Besadny
Carroll D. Besadny, Secretary

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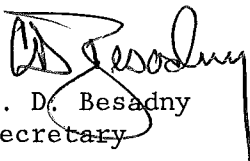
Mr. Gary L. Poulson
Assistant Revisor of Statutes
119 Martin Luther King, Jr., Blvd.

Dear Mr. Poulson:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. FM-25-91. These rules were reviewed by the Assembly Committee on Tourism and Recreation and the Senate Committee on Urban Affairs, Environmental Resources and Elections 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.

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