

(g) Establish resource management information and education programs; and

(h) Propagate wildlife.

(2) The primary goal of wildlife management is to provide healthy life systems necessary to sustain Wisconsin's wildlife populations for their biological, recreational, cultural and economic values. Wildlife management is the application of knowledge in the protection, enhancement and regulation of wildlife resources for their contribution toward maintaining the integrity of the environment and for the human benefits they provide.

(a) The department's wildlife program ranges from endangered and threatened species management to the production of huntable game. At its best, wildlife management is a process that requires a considerable degree of harmony between people and land to provide the quality landscapes and diverse habitats necessary to produce and support all types of wildlife.

(b) Public concern for the welfare of wildlife resources can help to instill a land ethic in what has become a predominantly urban population. Public support for the maintenance of native or near-natural plant communities, as necessary wildlife habitat, indirectly assures continued opportunities for a whole range of human interactions with nature that goes well beyond hunting or wildlife-oriented recreation.

(c) The department's wildlife management program is financed in large part by user contributions, particularly license fees and excise taxes on selected equipment purchased by hunters; however, management programs directed at hunted game species provide very significant indirect benefits for a wide range of other wildlife. New sources of funds are needed to supplement the existing financial base and provide more adequate programs for nongame fish and wildlife, especially threatened and endangered species.

(d) Larger quantities of wildlife habitat are required to meet management objectives for hunting and trapping than for most other uses. The future of hunting, however, depends upon more than wildlife habitat. It depends upon the quality, the behavior and sense of responsibility of today's hunter, the willingness of private landowners to provide access, and the tacit approval of people who don't hunt. Since many hunters do not own the land on which they hunt and because wildlife belongs to all citizens, mutually acceptable relationships between hunters, landowners and the nonhunting public are required for hunting to continue as a socially acceptable form of outdoor recreation.

(3) The natural resources board directs the department to implement its statutory wildlife responsibilities through the execution of the state wildlife policy as set forth herein. For the purposes of this policy, wildlife means all varieties of birds, mammals and terrestrial vertebrates other than man and domestic animals.

**History:** Cr. Register, July, 1977, No. 259, eff. 8-1-77.

**NR 1.02 Inland fisheries management.** The following actions are essential to carry out an effective fish management program.

Register, July, 1981, No. 307

(1) **LAND ACQUISITION AND DEVELOPMENT.** The department shall provide for the protection of habitat essential to the maintenance of fish populations and for providing quality fishing opportunities through the acquisition of lands by gift or purchase. These lands shall be developed to provide access or be maintained as wilderness areas according to their potential.

(2) **HABITAT PROTECTION AND IMPROVEMENT.** The department shall actively protect and maintain habitat capable of supporting aquatic species. Management efforts include deterring point and nonpoint pollution, vegetation control, rough fish control, water level manipulation and limiting shoreline development. Habitat shall be improved where fish populations can be increased and such improvements are economically and ecologically feasible. Improvements include in-stream devices, wing deflectors, bank riprap, stream bank fencing, fish shelters, dredging and streamside brushing. The application of these techniques shall be consistent with the wild and wilderness policies of the board.

(3) **SURVEYS AND RESEARCH.** Programs shall be based on sound surveys and research. The department shall survey lakes and streams to obtain information needed to develop and implement management programs. Research shall be conducted to evaluate and resolve problems that have been defined.

(4) **PROPAGATION, REARING AND DISTRIBUTION.** The department shall rear fish for stocking in waters lacking adequate natural reproduction and where reasonable returns are demonstrated by surveys. Stocking priorities will be based on use opportunities, hatchery production capabilities, cost and habitat potential. Stocking of exotic species shall be thoroughly evaluated.

(5) **POPULATION MANIPULATION.** The department may, where feasible, control fish populations that are stunted or harmful to more desirable fish species. Control measures include mechanical removal, predator stocking, commercial harvest and chemical treatment.

(6) **RULES.** The department shall regulate the sport and commercial harvest of aquatic resources to achieve optimum sustained yields. Pollution and habitat destruction shall be stringently opposed through the strict enforcement of all laws and administrative rules. Special regulations shall be used to provide diverse angling opportunities and to distribute use in heavily fished areas.

(7) **TROUT STREAM CLASSIFICATION.** The department shall identify and classify trout streams as follows to ensure adequate protection and proper management of this unique resource.

(a) For the purpose of this subsection, the following terms are defined as:

1. "Classification survey" means a fishery survey employing techniques generally accepted by fisheries biologists that:

a. Investigates the variety of habitat types present in the water being surveyed;

b. Provides a representative sample of the fish species present, and their relative abundance;

c. Provides the length distribution and the age structure of the trout population.

2. "Trout spawning habitat" means areas of gravel, small rubble or coarse sand which are infiltrated by groundwater or stream flow of sufficient quantity and quality to allow successful hatching of trout eggs and emergence of fry.

3. "Trout habitat" means those areas having sufficient quantity and quality of water, cover and food to allow trout to complete one or more life history stages.

(b) Classification of trout streams, as determined by classification surveys, shall be based on the following criteria:

1. 'Class I'. A class I trout stream is a stream or portion thereof with a self-sustaining population of trout.

a. Such a stream contains trout spawning habitat and naturally produced fry, fingerling, and yearling in sufficient numbers to utilize the trout habitat, or

b. Contains trout with 2 or more age groups, above the age of one year, and natural reproduction and survival of wild fish in sufficient numbers to utilize the available trout habitat and to sustain the fishery without stocking.

2. 'Class II'. A class II trout stream is a stream or portion thereof that:

a. Contains a population of trout made up of one or more age groups, above the age one year, in sufficient numbers to indicate substantial survival from one year to the next, and

b. May or may not have natural reproduction of trout occurring; however, stocking is necessary to fully utilize the available trout habitat or to sustain the fishery.

3. 'Class III'. A class III trout stream is a stream or portion thereof that:

a. Requires the annual stocking of trout to provide a significant harvest, and

b. Does not provide habitat suitable for the survival of trout throughout the year, or for natural reproduction of trout.

c. After classification or reclassification of a stream or portion thereof under this subsection, the department shall as soon as is feasible or reasonable give notice in a newspaper or such other media the department selects in the area affected which is likely to inform the local residents. The department shall provide the information to all clerks of the county, town, city or village in which the stream or portion thereof is located. The department shall notify the legislators whose districts include the affected stream and the chairpersons of the committees of the legislature with jurisdiction for natural resources issues.

(d) The notice shall contain the location and description of the stream and the basis for its classification. If a hearing is not requested in writing within 30 days after the mailing of the notice, the department may waive the hearing. Upon receipt of a request for a hearing, the department

## NR 1

shall, not less than 10 days before such hearing, mail written notice thereof to each person notified under par. (c).

(e) At each hearing, the department shall take evidence offered by persons in support of or in opposition to the stream classification. If the department finds the stream is not properly classified, the stream shall be reclassified on the basis of the criteria specified under par. (b).

(f) The department shall maintain a list of classified trout streams for public information. This list shall not be assumed to be exhaustive but will include all trout streams surveyed and classified.

**History:** Cr. Register, February, 1980, No. 290, eff. 3-1-80; cr. (7), Register, July, 1981, No. 307, eff. 8-1-81.

**NR 1.03 Mississippi river fisheries management.** In carrying out an effective management program for fish and aquatic resources, the department shall:

(1) Regulate sport and commercial harvest to provide an optimum sustained yield.

(2) Promote cooperative agreements with Iowa, Minnesota and the U.S. fish and wildlife service in an effort to maintain:

(a) The unique habitats on the river;

(b) Programs to maintain and improve public access;