

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary

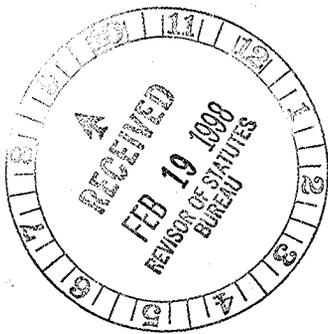
101 S. Webster St.
Box 7921
Madison, Wisconsin 53707-7921
Telephone 608-266-2621
FAX 608-267-3579
TDD 608-267-6897

STATE OF WISCONSIN)
) ss
DEPARTMENT OF NATURAL RESOURCES)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, George E. Meyer, 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. FH-26-97 was duly approved and adopted by this Department on December 3, 1997. 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 16 day of February, 1998



George E. Meyer
George E. Meyer, Secretary

(SEAL)



ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD
AMENDING RULES

.....
 The Wisconsin Natural Resources Board .
 adopts an order to amend NR 24.09 (1) (a) . FH-26-97
 and (2), as affected by Clearinghouse Rule .
 96-189, relating to commercial clamming .
 on the Wisconsin-Iowa boundary waters .

Analysis Prepared by Department of Natural Resources

Statutory authority: ss. 29.085, 29.38 (8) (a) and (e) and 227.11 (2) (a), Stats.

Statutes interpreted: ss. 29.085 and 29.38 (1) and (8), Stats.

SECTION 1. removes washboard clams, *Megalonaias gigantea*, from the list of open species available for harvest on the Wisconsin-Iowa boundary waters beginning with the 1998 harvest season.

In light of SECTION 1., SECTION 2. deletes washboard clams from the size limits for cooked shell beginning with the 1998 harvest season.

SECTION 1. NR 24.09 (1) (a), as affected by Clearinghouse Rule 96-189, is amended to read:

WATERS OPEN TO COMMERCIAL CLAM SHELLING	OPEN SEASON	OPEN SPECIES	MINIMUM SIZE
(a) Wisconsin-Iowa boundary waters	April 1- Aug. 31	mapleleaf (<i>Quadrula quadrula</i>)	2-3/4"
		pigtoe (<i>Fusconaia flava</i>)	2-3/4"
		pimpleback (<i>Quadrula pustulosa</i>)	2-3/4"
		threeridge (<i>Amblema plicata</i>)	3"
		washboard (<i>Megalonaias gigantea</i>)	4"

SECTION 2. NR 24.09 (2), as affected by Clearinghouse Rule 96-189, is amended to read:

NR 24.09 (2) Notwithstanding the minimum size limits set in sub. (1), the minimum size for cooked clams shall be 2-1/2" for mapleleaf, pigtoe, and pimpleback clams, and 2-13/16" for threeridge clams ~~and 3-3/4" for washboard clams.~~

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on December 3, 1997.

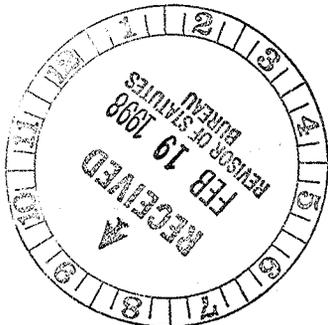
The rules contained herein shall take effect on April 1, 1998, pursuant to authority granted by s. 227.22 (2) (b), Stats.

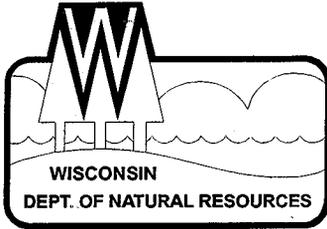
Dated at Madison, Wisconsin 2/16/98.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

BY George E. Meyer
George E. Meyer, Secretary

(SEAL)





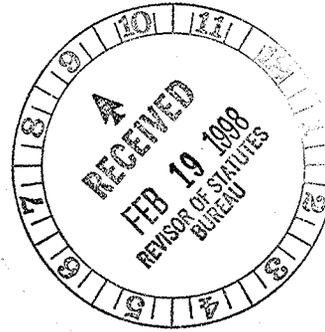
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February 16, 1998

Mr. Gary L. Poulson
Assistant Revisor of Statutes
131 West Wilson Street - Suite 800
Madison, WI



Gary
Dear Mr. Poulson:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. FH-26-97. These rules were reviewed by the Assembly Committee on Natural Resources and the Senate Committee on Agriculture and Environmental Resources 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,

George
George E. Meyer
Secretary

Enc.



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Through Excellent Customer Service

