



NIR 10, 11

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Anthony S. Earl
Secretary

BOX 7921
MADISON, WISCONSIN 53707

IN REPLY REFER TO: _____

STATE OF WISCONSIN)
)
DEPARTMENT OF NATURAL RESOURCES) SS

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Anthony S. Earl, 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. G-52-77 was duly approved and adopted by this Department on August 18, 1977. 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 Pyare Square Building in the Village of Shorewood Hills, this 30th day of January, 1978.

RECEIVED
JAN 31 1978
4:30 pm
REVISOR OF STATUTES
BUREAU

Anthony S. Earl
Anthony S. Earl, Secretary

(SEAL)

STATE OF WISCONSIN NATURAL RESOURCES BOARD

.....
 IN THE MATTER of renumbering section NR 10.12(5)(b); .
 amending sections NR 10.01(1)(q), NR 11.21(1)(a)2., .
 & NR 11.27(17)(a); repealing and recreating sections .
 NR 10.09(4), NR 10.12(1) thru (4), inc., NR 10.12 .
 (5)(b) & NR 11.26(4)(a); and creating section NR . G-52-77
 10.12(5) intro. para. of the Wisconsin Administrative .
 Code pertaining to waterfowl regulations .

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD

RENUMBERING, AMENDING, REPEALING AND RECREATING, AND CREATING RULES

Pursuant to the authority vested in the State of Wisconsin Natural Resources Board by sections 23.09, 23.11, 29.085, 29.174, 227.014 and 227.02(1)(e), Wisconsin Statutes, the State of Wisconsin Natural Resources Board hereby rennumbers, amends, repeals and recreates, and creates rules as follows:

SECTION 1 - Section NR 10.01 (1) (q) is amended to read:

(q) No person shall hunt migratory waterfowl or coot in open water, except as provided in Wis. Adm. Code section NR 10.12, in the waters of the Mississippi river lying westerly of the Burlington Northern railroad wherein it borders on Vernon county during the period beginning October 15 and continuing through the end of the waterfowl season.

SECTION 2 - Section NR 10.09 (4) is repealed and recreated to read:

(4) During the 24-hour period prior to the opening date for hunting deer with firearms, no person shall have in possession any firearm in any area wherein there is an open season for deer with firearms, unless the firearm is unloaded and enclosed within a carrying case. Exceptions:

- (a) Target shooting at established ranges.
- (b) Hunting on licensed game farms and shooting preserves.
- (c) Hunting waterfowl and coot during the open season.

SECTION 3 - Sections NR 10.12 (1) through (4), inclusive, are repealed and recreated to read:

NR 10.12 Migratory game bird hunting. (1) Prohibited methods. No person shall hunt any migratory game bird by any of the following methods:

(a) Sinkbox. From or by means, aid or use of a sinkbox or any other type of low floating device, having a depression affording the hunter a means of concealment beneath the surface of the water.

(b) Boats. From any boat or craft other than such as are propelled by paddle, oar or pole.

(c) Structures. From any pier, dam, dock or similar structure.

(d) Rallying. By the use or aid of any water, air or motor-driven land conveyance used for the purpose of or resulting in stirring up, driving or rallying.

(e) Bird calls. By the use or aid of recorded or electrically amplified bird calls or sounds or imitations thereof.

(f) Live decoys. By using directly or indirectly any live ducks or live geese for decoy purposes regardless of the distance intervening between any such live decoys and the position of the hunter.

(g) Decoy use. By the use or aid of decoys which are:

1. Placed beyond 200 feet from the blind or cover in which the hunter is located.

2. Left in the water unattended.

3. Placed in the water prior to one hour before opening hunting time.

4. Left in the water more than 20 minutes after the close of hunting time.

(h) Baiting. 1. By the use or aid of salt or shelled or shucked or unshucked corn, wheat or other grains or other feed or means of feeding similarly used to lure, attract or entice such birds to, on, or over the area where hunters are attempting to take them.

2. This subsection shall not be construed to apply to propagating, scientific or other operations in accordance with the terms of lawfully issued state and federal permits, or to the taking of birds over salt blocks, properly shocked corn, standing crops (including aquatics), grains found scattered solely as a result of normal agricultural practices, flooded standing crops or flooded harvested crop lands, or to the feeding of migratory game birds at any time not in connection with hunting.

(2) Possession. No person shall possess any live or crippled migratory game bird reduced to possession by means of hunting. Such bird shall be immediately killed and become a part of the daily bag limit.

(3) Open water restrictions. No person shall hunt waterfowl or coot in open water from any blind which may include any boat, canoe, raft, contrivance or similar device except:

(a) Blinds in any of the waters of the Mississippi river, the St. Croix river, and Lake St. Croix, and their bays, bayous and sloughs wherein they border on the counties of Buffalo, Crawford, La Crosse, Pepin, Pierce, St. Croix, Trempealeau and Vernon and in any of the inland lakes of these counties, provided such blinds are set, placed or located not more than 100 feet from any shoreline. Such blinds shall, in all instances, be securely anchored to the place or spot where they are to be used and shall be removed from such location at the conclusion of hunting hours each day.

(b) Blinds in any of the waters of Lake Winnebago wherein they border Calumet, Fond du Lac and Winnebago counties set, placed or located more than 500 feet from any shoreline, including islands. Such blinds shall, in all instances, be securely anchored to the place or spot where they are to be used and shall be removed from such location at the conclusion of the hunting hours each day.

(c) Blinds in any waters of the Mississippi river, wherein they border Grant county and Lake Pepin wherein they border Pepin, Pierce and Buffalo counties. Such blinds shall, in all instances, be securely anchored to the place or spot they are to be used, and shall be removed from such location at the conclusion of the hunting hours each day.

(d) In any water of Big Green lake in Green Lake county and the outlying waters of Lake Superior and Lake Michigan including Green Bay under the jurisdiction of the state of Wisconsin beyond 500 feet of any shoreline of said lakes and beyond 500 feet of any natural growth of vegetation rooted to the bottom and extending above the water surface of such height as to offer whole or partial concealment for the hunter.

(4) Horicon intensive zone restrictions. 1. It shall be unlawful to hunt waterfowl except from a blind during the open season for Canada geese within the area described in Wis. Adm. Code section NR 10.01(1)(i).

2. No more than 2 hunters shall occupy any blind at one time nor shall any person hunt waterfowl from a blind placed within 200 yards of any other blind occupied by one or more waterfowl hunters or within 100 yards of the boundary of the property on which such blind is located.

3. It is unlawful for any person or persons to hunt from or to permit any other person or persons to hunt from any blind situated on any 20-acre parcel of land, or residuary parcel thereof of less than 20 acres and more than 10 acres, owned, leased, occupied, or controlled by said person, while any other person or persons, whether with or without permission, are hunting from any other blind situated on the same 20-acre parcel of land or on the same residuary parcel thereof. However, the owner, occupant or lessee of a tract of land which is too small to meet the foregoing spacing requirements and which was partitioned by an instrument executed and recorded before January 1, 1961, may place one blind on such tract at the approximate center thereof.

4. No blind shall be placed within 75 yards of the boundary of the Horicon national wildlife refuge.

5. Retrieving downed birds shall be permitted outside blinds.

6. For the purpose of this subsection, "blind" means any framed enclosure or pit not more than 15 feet in its greatest dimension and camouflaged to provide concealment to hunters within.

SECTION 4 - Section NR 10.12 (5) intro. para. is created to read:

(5) Guns and ammunition restrictions. No person shall hunt any migratory bird:

SECTION 5 - Section NR 10.12 (5) (b) is renumbered NR 10.12 (5) (d).

SECTION 6 - Section NR 10.12 (5) (a) is repealed and recreated to read:

(a) With any shotgun of a larger bore than a no. 10 gauge.

(b) With any automatic-loading or hand-operated repeating shotgun capable of holding more than 3 shells the magazine of which has not been cut off or plugged with a one-piece filler incapable of removal without disassembling the gun so as to reduce the capacity of said gun to not more than 3 shells at one time in the magazine and chamber combined.

(c) By any means other than a shotgun fired from the shoulder or a bow and arrow, or by falconry.

SECTION 7 - Section NR 11.21 (1) (a) 2. is amended to read:

2. T38N, R19W, town of Grantsburg.

Section 1 - All lands lying north of Whiskey Creek Dike road.

Section 2 - All lands lying east of county highway F.

Section 11 - NE $\frac{1}{4}$

SECTION 8 - Section NR 11.26 (4) (a) is repealed and recreated to read:

(a) Pine Island.

Township 12 north, range 8 west, town of Caledonia

Section 4 - The west 300 feet.

Section 9 - The west 300 feet of the N 3/4 and all that part of the SESW and SWSE lying within 300 feet south of the interstate highway ROW fence.

Section 10 - The west 300 feet of the E¹/₂ SE¹/₄ SW¹/₄

The east 300 feet of the NW¹/₄ SE¹/₄ and government lot 3

Section 15 - The west 300 feet of the E¹/₂ N¹/₂ NE¹/₄ and all that part of the NWNW lying within 300 feet south of the interstate highway ROW fence

Section 16 - All that part of the NE¹/₄ lying within 300 feet south of the interstate highway ROW fence.

SECTION 9 - Section NR 11.27 (17) (a) is amended to read:

(a) Theresa Marsh wildlife area.

Township 12 north, range 18 east, town of Wayne

Section 17 - That portion lying north and east of the Rock river and south and west of U.S. highway 41.

Section 18 - That portion of the E¹/₂ E¹/₂ lying north of the Rock river.

Section 20 - That portion of the N¹/₂ lying east of the Rock river and west of U.S. highway 41.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on August 18, 1977.

The rules contained herein shall take effect upon publication.

Dated at Madison, Wisconsin 6 January 1978

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By Anthony S. Earl
Anthony S. Earl, Secretary

(SEAL)

APPROVED:

Martin J. Schreiber
Governor Martin J. Schreiber

JAN 21 1978
Date