



NR 10, 11, 15

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

RECEIVED
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1:50 pm
REVISOR OF STATUTES
BUREAU

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-57-79 was duly approved and adopted by this Department on November 29, 1979. 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 General Executive Facility #2 in the City of Madison, this 29th day of February, 1980.

Anthony S. Earl

Anthony S. Earl, Secretary

(SEAL)

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD

REPEALING, RENUMBERING, AMENDING, AND REPEALING & RECREATING RULES

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IN THE MATTER of repealing sections NR 10.01(1)(b) thru (g), NR 10.01(1)(1)3.b. intro. & 3.c., NR 11.06(2), (4) & (5)(b), NR 11.11, NR 11.17(5), (6) & (7), NR 11.21(1)(a)3. & 6., NR 11.24(1)(a), (b) & (c), (5) & (7)(b), NR 15.01(43)(a) & (c) and (51), and NR 15.02(78)(b); renumbering sections NR 10.01(1)(1)3.b.1) thru 5); amending sections NR 10.01(1)(1)5., 6.b. and NR 10.12 (3)(b); and repealing and recreating sections NR 10.01(1)(j) & (k), NR 10.01(1)(1) intro., 1. & 2. and 8., NR 10.01(2)(a)1. & (3)(b), NR 10.07(1)(g), NR 10.101(1)(b) & (3)(b), NR 10.201, NR 11.21(1)(a)4. & 5., NR 15.02(63) and NR 15.03 of the Wisconsin Administrative Code pertaining to regulation changes for the 1980 hunting season
.....

G-57-79

Analysis Prepared by Department of Natural Resources

1. The revisions made in the regulations for hunting Canada geese in Wisconsin include revisions in the boundaries for the Horicon Zone and the Central Zone in addition to the following:

Horicon Zone: Two hunting periods will be offered with the following permit limits:

<u>Date</u>	<u>Season Limit</u>	<u>Permits to be Issued</u>
Oct. 1 Noon - Oct. 31	1	18,000
Nov. 1 - Dec. 9	2	11,000

The season runs for 70 consecutive days and does not follow the split season framework. Permits will be issued by random drawing from applications received no later than September 10. Applications received after September 10 will be issued on a first-come, first-served basis, if any unfilled permits remain. The deadline for applications is September 30.

Central Zone: The season follows the duck season framework opening on October 1 at noon through October 7 and October 13 through December 9 with all successful applicants receiving two tags. Hunters receiving tags in the Central Zone will not be eligible to receive tags in the Horicon Zone. The application deadline is September 30. Permits will be issued to 22,300 applicants in the Central Zone.

2. The Saturday nearest October 1 through January 31 season zone for ruffed grouse is expanded by establishing a road boundary which would add all or a portion of 32 counties to this zone. Waukesha County would remain closed. The effect of this change would be to add 31 days of hunting recreation to those counties and clarify the zone boundary. Providing additional public hunting opportunities within the biological capabilities of the species is the justification for the proposal.

3. The county or adjoining county restrictions imposed on bobcat registration are eliminated, and registration will be allowed in any county. It has been recognized that sportsmen have difficulty in registering bobcats within the county or adjoining county of kill. Registration stations have been limited to certain DNR offices and normal office hours. By eliminating the restriction and providing wider distribution of registration materials, the Department can provide better service.

4. A uniform Saturday closest to October 15 opening date for raccoon hunting and trapping is established. Considerable concern has been expressed by sportsmen, the Wisconsin Trappers Association and the Fur Harvest Study Committee of the Wisconsin Conservation Congress regarding the early start of the raccoon season and its impact on fur primeness as well as excessive trapping and hunting pressure. This recommendation would delay the northern zone by two weeks, therefore, coinciding with better fur primeness conditions while reducing hunting and trapping pressure within a uniform statewide season. The recommendation received a plurality of county approvals over two other options presented (public hearings were held in each county of the state).

5. Bait materials used for hunting any wildlife species are restricted to apples, pastry or liquid scent (excluding honey). Placement restrictions identical to bear hunting shall also apply to this rule. Differences that exist between bear baiting rules and those for other hunting (primarily coyotes) have caused confusion by hunters, as well as loopholes in the bear baiting rule. For example, all baiting is limited to apples, pastry and liquid scent north of highway 29 from August 18 through September 23. There are no baiting restrictions for other wildlife except during this same period. As a result, a violator can easily place illegal materials for attracting bear under the guise of hunting other species (fox or coyote). The vast majority of hunters pursuing other game animals do not use bait. Therefore, only a small segment of hunters would be affected by this rule. Such change would not affect the use of bait for trapping purposes.

6. The present bear-dog training period is expanded by three weeks. Present regulations allow only a 3-week period for training bear-dogs running from August 1 to the beginning of the pre-season baiting period. The regulations are virtually unenforceable because there are no restrictions on training dogs for other forms of hunting. In addition, the short training period is an inadequate time for training and evaluating a bear-dog. A 3-week extension would provide approximately a 6-week training period which would greatly improve compliance with the law and meet the need for training bear hunting dogs.

7. The following closed areas or refuges are to be modified or repealed:

Closed Areas (all deletions except as indicated)

- a. Helen Lake (Vilas)
- b. Bay Beach (Brown)
- c. Partridge Lake (Waupaca)
- d. Butte des Morts (Winnebago)
- e. Poygan (Winnebago)

- f. Winneconne (Winnebago)
- g. Camp Lake (Kenosha)
- h. Blue River (Grant)
- i. Lone Rock (Richland)
- j. Bakkens Pond (Sauk)
- k. Two Rivers (Manitowoc)
- l. Crex Meadows Wildlife Area (Reduction - Burnett)

Refuges (all deletions except as indicated)

- a. American Legion Rest Camp (Oneida)
- b. Enterprise (Oneida)
- c. Burlington Hatchery (Racine)
- d. Camp Sinawa B.S. Camp (Manitowoc)
- e. Grand River WA (Rookery addition, Green Lake & Marquette)
- f. Bass Island (Rookery addition, Brown)
- g. Fish Lake (Rookery addition, Burnett)
- h. Allenton (Washington)
- i. Powell (Reduction - Iron and Vilas)

The deletions are to eliminate areas where protection is no longer needed or when land use changes have occurred to such an extent that the area no longer meets the requirements of the rule. Modifications, including additions, are made to satisfy new protection requirements needed by sharptailed grouse (game species) or cormorants (Wis. threatened species).

Pursuant to the authority vested in the State of Wisconsin Natural Resources Board by sections 23.09, 29.085, 29.174, 29.255, 29.415 and 227.014, Wisconsin Statutes, the State of Wisconsin Natural Resources Board hereby repeals, renumbers, amends, and repeals and recreates rules interpreting sections 23.09, 29.174 and 29.255, Wisconsin Statutes, as follows:

SECTION 1 - Section NR 10.01(1)(b) thru (g) inclusive are repealed. The following note will be inserted:

Note: Migratory bird regulations, including seasons, limits, hours and areas where authorized, are established by emergency rule procedure in September of each year. The emergency rules will be published in their entirety in the official state newspaper and published in summary form in the current year migratory bird regulation pamphlet. Copies of the emergency rules may be obtained by contacting: State of Wisconsin Department of Natural Resources, Bureau of Wildlife Management, P.O. Box 7921, Madison, Wisconsin 53707.

SECTION 2 - Section NR 10.01(1)(j) and (k) are repealed and recreated to read:

(j) The following described area is established as the Horicon zone: All that part of the counties of Fond du Lac, Green Lake, Washington and Dodge enclosed by a line beginning at the intersection of state highway 175 and state highway 23 in Fond du Lac county, then southerly on state highway 175 to its intersection with state highway 33, then westerly on state highway 33 to the city of Beaver Dam, then northerly on state highway 33 to its intersection with county highway A, then northerly on county highway A to its intersection with county highway S, then easterly on county highway S and continuing easterly on county highway AS to its intersection with county highway E, then northerly on county highway E to its intersection with state highway 23, then easterly on state highway 23 to the point of beginning.

(k) The following described area is established as the Central zone: All that part of Fond du Lac, Winnebago, Green Lake, Marquette, Columbia and Dodge counties enclosed by a line beginning in Winnebago county at the intersection of state highway 21 and U.S. highway 45, then southerly on U.S. highway 45 to its intersection with state highway 175, then southerly on state highway 175 to its intersection with state highway 23, then westerly on state highway 23 to its intersection with county highway E, then southerly on county

highway E to its intersection with county highway AS, then westerly on county highway AS and continuing westerly on county highway S to its intersection with county highway A, then southerly on county highway A to its intersection with state highway 33, then southeasterly on state highway 33 to its intersection with U.S. highway 151, then southwesterly on U.S. highway 151 to its intersection with state highway 73, then northerly on state highway 73 to its intersection with state highway 33, then westerly on state highway 33 to its intersection with state highway 22, then northerly on state highway 22 to its intersection with state highway 23, then northeasterly on state highway 23 to its intersection with state highway 49, then northerly on state highway 49 to its intersection with state highway 116, then easterly on state highway 116 to state highway 21, then easterly on state highway 21 to the point of beginning.

SECTION 3 - Section NR 10.01(1)(1) intro. para., 1. and 2. are repealed and recreated to read:

(1) Horicon and Central zone restrictions. 1. Canada goose permit and tag requirement. It is unlawful to hunt Canada geese without being in possession of a Canada goose hunting permit, Canada goose tags and valid state hunting license.

2. Permit application procedures. Application forms supplied by the department shall be completed and submitted by the applicant. Applications must be received by the department no later than September 30 of each year.

a. It shall be unlawful for any person to submit more than one application per year or an application containing false information.

b. In the Horicon zone, applicants shall indicate preference for one of 2 time periods:

1) October 1 - 31

2) November 1 - December 9

c. If 2 or more persons wish to hunt together, each must fill out an application form and submit them together in one envelope clearly marked "group application" on the outside. A group application will be considered one application.

SECTION 4 - Section NR 10.01(1)(1)3.b. intro. para. is repealed.

SECTION 5 - Section NR 10.01(1)(1)3.c. is repealed.

SECTION 6 - Section NR 10.01(1)(1)3.b.1) thru 5) are renumbered to be NR 10.01(1)(1)3.b. thru f.

SECTION 7 - Section NR 10.01(1)(1)5. is amended to read:

5. Permits issued. a. Horicon zone - ~~50,000~~ 29,000
- b. East Central zone - ~~unlimited~~ 22,300

SECTION 8 - Section NR 10.01(1)(1)6.b. is amended to read:

b. Validate the permit by tearing or cutting out notches on such permit the tag designating the month, day and time of kill. Failure to follow the validation procedure in this manner invalidates the permit.

SECTION 9 - Section NR 10.01(1)(1)8. is repealed and recreated to read:

8. Reporting requirements. Permit holders may be required to provide the department a goose hunting report. Such report forms will be mailed only to certain hunters. The selected hunter shall be required to complete the report and mail such report within 24 hours of receipt.

SECTION 10 - Section NR 10.01(2)(a)1. is repealed and recreated to read:

Kind of animal and locality	Open season (both dates inclusive)	Limit
1. All that part of Wisconsin lying south of a line beginning at the junction of state highway 64 and the west boundary of St. Croix county, then east on highway 64 to its intersection with U.S. highway 45, then southeasterly on highway 45 to its intersection with U.S. highway 10, then east on highway 10 and continuing east to the junction with the east boundary of the state.	Beginning on the Saturday nearest October 1 and continuing through January 31	Daily bag 5; possession 10

SECTION 11 - Section NR 10.01(3)(b) is repealed and recreated to read:

Kind of animal and locality	Open season (both dates inclusive)	Limit
(b) Raccoon (hunting and trapping)		
In all counties of the state	Beginning on the Saturday nearest October 15 and continuing through January 31	None

SECTION 12 - Section NR 10.07(1)(g) is repealed and recreated to read:

(g) Baiting. 1. Place, use or hunt over bait contained within metal, paper, plastic, glass, wood or other nondegradable materials.

2. Use any bait material for attracting wild animals other than apples, pastry or liquid scent. Such apples and pastry shall be confined to a hole in the ground measuring no more than 2 feet square.

3. Place or hunt over bait or liquid scent within 50 yards of any trail, road or campsite used by the public.

4. Exception: This subsection does not prohibit hunting over bait materials deposited by natural vegetation or found solely as a result of normal agricultural practices.

SECTION 13 - Section NR 10.101(1)(b) is repealed and recreated to read:

(b) Restricted areas. Hunt bear in any dump or sanitary landfill.

SECTION 14 - Section NR 10.101(3)(b) is repealed and recreated to read:

(b) Training. The training of dogs by pursuing bear is prohibited except during the period of July 10 through August 20.

SECTION 15 - Section NR 10.201 is repealed and recreated to read:

NR 10.201 Recording of bobcat. (1) Exhibition required. Each person who has killed a bobcat shall exhibit each animal to an authorized representative of the department for registration within 5 days of such taking.

(2) Registration. The department representative shall inspect the pelt and attach and lock a registration tag to the head of each lawfully taken and possessed animal.

(3) Possession and transfer restrictions. a. It shall be unlawful for any person to possess raw bobcat pelts beginning 6 days after the close of the season to the opening date of the following season unless a valid registration tag has been attached and locked by the department.

b. No person shall transfer, give, trade, sell or purchase any bobcat pelt unless a valid registration tag has been attached and locked to the head of each pelt. This subsection does not apply to bobcat taken outside of Wisconsin.

SECTION 16 - Section NR 10.12(3)(b) is repealed and recreated to read:

(b) Blinds in any of the waters 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.

SECTION 17 - Section NR 11.06(2), (4) and (5)(b) are repealed.

SECTION 18 - Section NR 11.11 is repealed.

SECTION 19 - Section NR 11.17(5), (6) and (7) are repealed.

SECTION 20 - Section NR 11.21(1)(a)3. is repealed.

SECTION 21 - Section NR 11.21(1)(a)4. and 5. are repealed and recreated to read:

4. Township 39 north, range 18 west, town of West Marshland.

a. Section 3 - All lands lying south of Reed lake road and west of North Refuge road and Reed lake, Dike #1 marsh

b. Section 4 - All lands lying south of Reed lake road

c. Section 5 - All lands lying south of county highway F

d. Section 6 - All lands lying south of county highway F

e. Section 7 - Entire section

f. Section 8 - Entire section

g. Section 9 - Entire section

h. Section 10 - All lands lying west of Reed lake, Dike #1 marsh

i. Section 14 - All lands lying west of Upper North Fork Dike road

j. Section 15 - All lands lying south of Main Dike road

k. Section 16 - All lands lying west of Reed lake, Dike #1 marsh

l. Section 17 - Entire section

m. Section 18 - Entire section

n. Section 19 - Entire section

o. Section 20 - Entire section

p. Section 21 - Entire section

q. Section 22 - Entire section

r. Section 23 - All lands lying west and south of Upper North Fork Dike road

s. Section 24 - All lands lying south and west of Upper North Fork Dike road

t. Section 25 - All lands lying north and west of North Fork Dike road except the NESW

u. Section 26 - All lands lying north of North Fork Dike road except the NESW and the N $\frac{1}{2}$ SE

v. Section 27 - All lands lying north of North Fork Dike road except the SWSE

w. Section 28 - Entire section

x. Section 29 - Entire section

y. Section 30 - Entire section

z. Section 31 - Entire section

aa. Section 32 - All lands lying north of Phantom lake trail

bb. Section 33 - All lands lying north and west of East Refuge road

5. Township 39 north, range 19 west, town of West Marshland.

a. Section 12 - All lands lying east of Buggert lake road except the SWNE

b. Section 13 - Entire section except the W $\frac{1}{2}$ NW

c. Section 14 - SE

d. Section 23 - All lands lying east of county highway F

e. Section 24 - Entire section

f. Section 25 - Entire section

g. Section 26 - All lands lying east of county highway F

h. Section 35 - All lands lying east of county highway F

i. Section 36 - Entire section

SECTION 22 - Section NR 11.21(1)(a)6. is repealed.

SECTION 23 - Section NR 11.24(1)(a), (1)(b), (1)(c), (5) and (7)(b) are repealed.

SECTION 24 - Section NR 15.01(43)(a), (43)(c) and (51) are repealed.

SECTION 25 - Section NR 15.02(63) is repealed and recreated to read:

(63) Vilas county. (a) Powell marsh.

Township 42 north, range 5 east, town of Manitowish Waters.

a. Section 28 - All that part of the S $\frac{1}{2}$ lying south and west of a brushed line running generally in a northwesterly-southeasterly direction.

b. Section 29 - All that part of the S $\frac{1}{2}$ lying south of a line formed by a brushed line and an access road running generally in an east-west direction.

c. Section 30 - All that part of the SESE lying south and east of a line formed by an access road on the north and a brushed line on the west.

d. Section 31 - All that part lying east of a brushed line running generally north and south through the E $\frac{1}{2}$.

e. Section 32 - Entire section.

f. Section 33 - All that part lying west and north of a brushed line running generally northeasterly-southwesterly through the E $\frac{1}{2}$.

SECTION 26 - Section NR 15.02(78)(b) is repealed.

SECTION 27 - Section NR 15.03 is repealed and recreated to read:

NR 15.03 Wildlife refuge, rookeries and special areas, no entry. The following described areas are created and established as wildlife refuges and it shall be unlawful for any person or persons to enter upon such area for any reason from April 1 through September 15 when such area is posted with department signs.

(1) Marathon county. (a) Mead wildlife area.

Township 26 north, range 6 east, town of Bergen.

Section 29 - The S $\frac{1}{2}$ NESW, SESW, and that part of the NWSE and the SWSE lying south and west of the Townline Flowage dike.

(2) Green Lake county. (a) Grand River wildlife area.

Township 14 north, range 11 east, town of Marquette.

Section 6 - The NWSE, fractional NESW, fractional S $\frac{1}{2}$ SENW, fractional N $\frac{1}{2}$ NWSW and the fractional SNNW

(3) Marquette county. (a) Grand River wildlife area.

Township 14 north, range 10 east, town of Buffalo.

Section 1 - SENE

(4) Brown county. (a) Bay of Green Bay (Bass Island of the Cat Island Chain).

Township 24 north, range 21 east, town of Scott.

Section 7 - SWSW

(5) Burnett county. (a) Fish Lake wildlife area.

Township 37 north, range 19 west, town of Anderson.

Section 10 - N $\frac{1}{2}$ SE

Section 11 - The NW and the N $\frac{1}{2}$ SW lying north of the town road.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on November 29, 1979.

The rules contained herein shall take effect upon publication as provided in section 227.026, Wisconsin Statutes.

Dated at Madison, Wisconsin February 29, 1980

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By


Anthony S. Earl, Secretary

(SEAL)



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Anthony S. Earl
Secretary

BOX 7921
MADISON, WISCONSIN 53707

February 21, 1980

IN REPLY REFER TO: 1020


Mr. Orlan L. Prestegard
Revisor of Statutes
411 West
C A P I T O L

Dear Mr. Prestegard:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. G-57-79. These rules were reviewed by the Assembly Tourism, Recreation and Economic Development Committee and the Senate Natural Resources and Tourism Committee pursuant to sec. 227.018, Stats. There were no objections.

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

Sincerely,


Anthony S. Earl
Secretary

Enc.