



State of Wisconsin

CR 84-180

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

BOX 7921
MADISON, WISCONSIN 53707

RECEIVED

STATE OF WISCONSIN)
)
DEPARTMENT OF NATURAL RESOURCES) ss

FEB 20 1985
3:10
Revisor of Statutes
Bureau

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. G-51-84 was duly approved and adopted by this Department on August 22, 1984. 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 19th day of February, 1985.

Bruce B. Braun
Bruce B. Braun, Deputy Secretary

(SEAL)

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5-1-85

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD
AMENDING, REPEALING AND RECREATING AND CREATING RULES

.....
IN THE MATTER of amending ss. NR 10.06
(2)(d) and 10.12(3)(b); repealing and
recreating ss. NR 10.01(1)(b)(c) and (g),
10.01(1)(L)2.b. and 5, and 10.12(4)
(title) and (a)1.; and creating ss. NR
10.01(1)(t) and (tm) and 10.12(3)(e) of the
Wisconsin Administrative Code pertaining
to the 1984 migratory bird season.
.....

G-51-84

Analysis Prepared by Department of Natural Resources

The proposed rules establish the regulations for the 1984 migratory bird season. The significant regulations are:

- Duck Season. The federal framework allows a zoned duck season for Wisconsin. The zones are delineated by an east-west line crossing the state approximately on U.S. Highway 10. The zoned duck season allows a continuous season to be set in the north where freezing weather limits opportunity while retaining the standard split season in the south. The 50-day season in the north begins at noon on October 1 and runs continuously through November 19. The southern season opens at noon on October 1 and continues through October 7 and, following a 5-day closed period, reopens October 13 and continues through November 24. Wisconsin again chose the point system option and the federal low point category of 10 for scaup, wigeon and teal.
- Special Scaup Season. This season continues for 16 days in selected waters following the close of the duck season as it has in previous years.
- Canada Geese. The north-south zone line is identical to the zoned duck season. However, other special goose management zones include: Horicon, Central, Brown County, Burnett County, New Auburn, Rock Prairie, Mississippi and Theresa. All zones except Theresa have existed in previous years.

The season length will be 25 days for the Horicon, Central and Theresa Zones; 20 days for the balance of the state. Special late Canada goose seasons will extend for 15 days in Rock Prairie and the Mississippi River Zones and 31 days in the Brown County Zone. However, the experimental Theresa Zone may be closed when the registered Canada goose harvest reaches 800. Permits and tags are required in the Horicon, Central and Theresa Zones. A free self-completed permit will again be provided in the 14-county MVP Goose Management Area (east-central Wisconsin). Permit limits are established for Horicon (13,300) and Central (16,800) Zones.

- Other geese. The season for geese other than Canada geese will occur concurrent with the 50-day duck season.
- Effective period. The proposed rules will be put in effect on September 30, 1984 by emergency rule for the 1984 migratory bird hunting season.
- Small business impact. The Department has determined that the proposed rules have no impact on small business operations.

Pursuant to the authority vested in the State of Wisconsin Natural Resources Board by ss. 29.085, 29.174, and 227.014(2)(a) Stats., the State of Wisconsin Natural Resources Board hereby amends, repeals and recreates and creates rules interpreting ss. 29.085 and 29.174, Stats., as follows:

SECTION 1. NR 10.01(1)(b) is repealed and recreated to read:

Kind of Animal	Locality	Open season (all dates inclusive)	Daily bag limit	Possession limit
(b) <u>All species of wild duck</u> except as provided in par. (a)	1. Entire state	2. As established by zone	3. The daily bag limit is reached when the last bird taken plus the total value of birds already taken during that day equals or exceeds 100 points	4. Double the daily bag limit through the entire open season, except opening day when it is the same as the daily bag limit
	5. North zone - All that part of Wisconsin lying north of a line beginning at the junction of the center line of the western state boundary on the the Mississippi river and the center line of the Chippewa river, then north on the center line of the Chippewa river to its junction with state highway 35, then east on state highway 35 to its junction with highway 25, then north on highway 25 to its junction with U.S. highway 10, then east on U.S. highway 10 to its junction with the Manitowoc harbor in the city of Manitowoc, then east to the eastern state boundary in Lake Michigan	6. Oct. 1 at 12:00 noon-Oct. 7	7. Point values- 100 points: canvasback, black duck and hen mallard 70 points: redhead, wood duck, hooded merganser and drake mallard 25 points: ringneck, rudd, duck, goldeneye, bufflehead, pintail, gadwall, shoveler, all other mergansers, and all other ducks not specifically listed 10 points: scaup, blue-winged teal, green-winged teal and wigeon	

8. Oct. 8 -
Nov. 19

9. Point values-
100 points:
canvasback and
black duck

70 points:
redhead, hen
mallard, wood
duck and hooded
merganser

25 points: drake
mallard, ringneck,
ruddy duck,
goldeneye, buffle-
head, pintail,
gadwall, shoveler,
all other
mergansers, and
all other ducks
not specifically
listed

10 points: scaup,
blue-winged teal,
green-winged
teal and wigeon.

10. South zone -
Remainder of the
state

11. Oct. 1 at 12:00
noon - Oct. 7

12. Point values -
100 points:
canvasback, black
duck and hen
mallard

70 points:
redhead, wood
duck, hooded
merganser and
drake mallard

25 points:
ringneck, ruddy
duck, goldeneye,
bufflehead,
pintail, gadwall,
shoveler, all
other mergansers,
and all other
ducks not
specifically
listed

10 points: scaup,
blue-winged teal,
green-winged
teal, gadwall
and wigeon

13. Oct. 13 -
Nov. 24

14. Point values -
100 points:
canvasback and
black duck

70 points: red-
head, hen mallard,
wood duck and
hooded merganser

25 points: drake
 mallard, ringneck,
 ruddy duck,
 goldeneye,
 bufflehead, pin-
 tail, gadwall,
 shoveler, all
 other mergansers,
 and all other
 ducks not
 specifically
 listed

10 points: scaup,
 blue-winged teal,
 green-winged teal,
 and wigeon

SECTION 2. NR 10.01(1)(c) is repealed and recreated to read:

Kind of animal	Locality	Open season (all dates inclusive)	Daily bag limit	Possession limit
(c) Scaup (special season)	1. North zone as described in par. (b) - Shawano lake, Lake Pepin, all state waters north of state highway 64 including Lake Superior and all that part of Lake Michigan located in the north zone and beyond 500 feet from the east shoreline and 1,000 feet from the west shoreline in the waters of Green Bay	Beginning the day after the season established in par. (b) and continuing for 16 consecutive days	5	10
	2. South zone as described in par. (b) - The waters of the Mississippi river in Grant county, all that part of Lake Michigan located in the south zone except waters adjacent to Milwaukee county, and beyond 500 feet from the shoreline in Lake Winnebago	Beginning the day after the season established in par. (b) and continuing for 16 consecutive days	5	10

SECTION 3. NR 10.01(1)(g) is repealed and recreated to read:

Kind of animal	Locality	Open season (all dates inclusive)	Daily bag limit	Possession limit
Geese 1. Canada geese and its subspecies	a. Except for subpars. b.-e., north zone as described in par. (b).	Oct. 1 at 12:00 noon - Oct. 20	1	2

	b. Brown county zone as described in par. (n)	Oct 1 at 12:00 noon- Oct 20; Dec. 1-31	1 2	2 4
	c. Northern part of the Mississippi river zone as described in par. (s)	Oct. 1 at 12:00 noon- Oct. 20; Nov. 25-Dec. 9	1 2	2 4
	d. Burnett county zone as described in par. (m)	None	None	None
	e. New Auburn zone as described in par. (o)	None	None	None
	f. Except for subpars. g.-k., south zone as described in par. (b)	Oct. 13 - Nov. 1	1	2
	g. Horicon zone as described in par. (j)	Oct. 13-25; Oct. 26-Nov. 6		The daily and possession limits are restricted by a season limit of one
	h. Central zone as described in par. (k)	Oct. 13-Nov. 6		The daily and possession limits are restricted by a season limit of one
	i. Theresa zone as described in par. (+)	Oct. 13-Nov. 6 or Oct. 13 until the registered harvest reaches 800, whichever occurs first	2	The possession and season limits are 4
	j. Rock prairie zone as described in par. (p)	Oct. 13 - Nov. 1; Nov. 25-Dec. 9	1 1	2 2
	k. Southern part of the Mississippi River zone as described in par. (s)	Nov. 1-20; Nov. 25-Dec. 9	1 2	2 4
2. All other species	a. North zone as described in par. (b)	Oct. 1 at 12:00 noon - Nov. 19		A total of 5 Including 2 white-fronted geese and not more than one Canada goose or its subspecies during the open season on Canada geese
	b. South zone as described in par. (b)	Oct. 1 at 12:00 noon - Oct. 7; Oct. 13 - Nov. 24		A total of 5 including 2 white-fronted geese and not more than: 1) 2 Canada geese or its subspecies in the Theresa zone by permit, or 2) One Canada goose or its subspecies elsewhere in the south zone during the open season on Canada geese
				A total of 10 Including 4 white-fronted geese and not more than 2 Canada geese or its subspecies during the open season on Canada geese
				A total of 10 Including 4 white-fronted geese and not more than: 1) 4 Canada geese or its subspecies in the Theresa zone by permit, or 2) 2 Canada geese or its subspecies elsewhere in the south zone during the open season on Canada geese

SECTION 4. NR 10.01(1)(L)2.b. and 5. are repealed and recreated to read:

b. In the Horicon and Central zones, applicants may indicate preference for the following seasons as established in par. (g):

1. Horicon Zone Oct. 13-25, or;
2. Horicon Zone Oct. 26 - Nov. 6, or;
3. Central Zone Oct. 13 - Nov. 6.

5. Permit quota. The department shall issue the following numbers of Canada goose permits for the 1984 hunting season:

- a. Horicon Zone - 13,300
- b. Central Zone - 16,800

SECTION 5. NR 10.01(1)(t) and (tm) are created to read:

(t) The following described area is established as the Theresa zone: All that part of Dodge, Fond du Lac and Washington counties enclosed by a line beginning at the intersection of U.S. highway 45 and state highway 67, then south on U.S. highway 45 to its intersection with state highway 33, then west on state highway 33 to its intersection with state highway 175, then north on state highway 175 to its intersection with state highway 67, then west on state highway 67 to its intersection with county highway AY, then north on county highway AY and continuing north on county highway Y to its intersection with county highway H, then east on county highway H and continuing east on state highway 67 to the point of beginning.

(tm) Theresa goose management zone restrictions. 1. Canada goose permit and tag requirement. No person may hunt or possess Canada geese without possessing a Canada goose hunting permit, Canada goose carcass tags and valid state hunting license. Permits and tags are valid only in the zone of issue.

2. Permit application procedures. Application forms supplied by the department shall be completed in person by each applicant at the department station located adjoining the village of Theresa Station. Department station hours are 9:00 A.M.-4:00 P.M., October 8-12 and 5:30 A.M.-3:00 P.M. October 13 through season close. Persons receiving a Horicon or Central zone permit are not eligible for a Theresa zone permit.

3. Permit issuance procedures. All eligible applicants shall receive a Theresa zone hunting permit and 2 carcass tags. Upon killing and tagging 2 geese in the Theresa zone, each hunter may receive 2 additional carcass tags from the department station located adjoining the village of Theresa Station. Permits and tags are not transferable or replaceable and shall not be reused, altered or defaced.

4. Tagging, transportation and reporting requirements. As established by par. (k)6. through 8.

5. Registration requirements. Each Canada goose killed in the Theresa zone shall be registered at the department station adjoining Theresa Station no later than 3:00 p.m. of the day killed.

SECTION 6. NR 10.06(2)(d) is amended to read:

(d) The hunting hours for migratory game birds shall be the same as those established for small game hunting except in the Theresa goose management zone described in s. NR 10.01(1)(t) where the hunting hours for Canada geese shall close at 1:00 P.M. daily.

SECTION 7. NR 10.12(3)(b) is amended 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~~ excluding 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~~ a hunter.

SECTION 8. NR 10.12(3)(e) is created to read:

(e) Blinds in any of the waters of Green Bay beyond 1,000 feet of the west shoreline or 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 a hunter and blinds in any of the waters of Green Bay beyond 500 feet of the east shoreline or its associated natural vegetation. The shipping channel is the boundary line between east and west.

SECTION 9. NR 10.12(4)(title) and (a)1. are repealed and recreated to read:

(4) SPECIAL BLIND RESTRICTIONS. (a) 1. No person may hunt waterfowl except from a blind during the Canada goose open season within the area described in s. NR 10.01(1)(i) or hunt geese on any private land except from a blind within the area described in s. NR 10.01(1)(t).

Note: The area described is the Horicon Intensive Management Zone and the Theresa Zone.

The foregoing rules were approved and adopted by the Natural Resources Board on August 22, 1984.

The rules contained herein shall take effect as provided in s. 227.026(1)(intro.), Stats.

Dated at Madison, Wisconsin

February 19, 1985

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By

Carroll D. Besadny
Carroll D. Besadny, Secretary



State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

BOX 7921
MADISON, WISCONSIN 53707

February 20, 1985

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-51-84. These rules were reviewed by the Assembly Committee on Tourism, Recreation & Forest Productivity and the Senate Committee on Energy and Environmental Resources pursuant to s. 227.018, Stats. Summaries of the final regulatory flexibility analysis and comments of the legislative review committees is 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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