

State of Wisconsin

CR 87-38

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny  
Secretary

BOX 7921  
MADISON, WISCONSIN 53707

File Ref:

RECEIVED

SEP 3 1987

4:07 PM  
Revisor of Statutes  
Bureau

STATE OF WISCONSIN )  
DEPARTMENT OF NATURAL RESOURCES )

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. WM-5-87 was duly approved and adopted by this Department on June 25, 1987. 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 here-  
unto set my hand and affixed the  
official seal of the Department at  
the Natural Resources Building in  
the City of Madison, this 31<sup>st</sup>  
day of August, 1987.

*Bruce B. Braun*  
Bruce B. Braun, Deputy Secretary

(SEAL)

part 11-1-87  
part 1-1-88



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

IN THE MATTER of renumbering s. NR 17.01(1)(a) to (e);  
amending ss. NR 10.01(2)(f)1 and 2, 10.01(3)(e)9.e.,  
10.09(1)(c)1.c., 17.01(1)(intro), 17.01(3)(f) and  
(4)(g) and 17.02(3) (c); repealing and recreating  
ss. NR 10.001(24), 10.01(3) (h)1., 10.01(4)(e)2.,  
10.29, 17.01(1), 17.01(1) (intro.) and 17.02(3)(a);  
and creating ss. NR 10.01(3) (h)3., 10.07(1)(i) and  
17.01(3)(e) of the Wisconsin Administrative Code  
pertaining to hunting and trapping regulations

WM-5-87

Analysis Prepared by Department of Natural Resources

The rules are promulgated under the authority of ss. 29.108, 29.174(1) and (2)(d), 29.255 and 227.11(2)(a), Stats., and interpret ss. 29.085, 29.174(1) and (2)(d), and 29.255, Stats.

Seven rule proposals are presented relating to hunting and trapping of certain game species in Wisconsin.

1. Establish fisher harvest quotas by formula.
  2. Liberalize handgun deer hunting rules.
    - a. Allow use in most zones.
    - b. Allow other firearm possession.
  3. Restrict the spring running of dogs in northern Wisconsin.
  4. Expand wild turkey hunting opportunities.
  5. Close coyote hunting in northern Wisconsin during the gun deer season.
  6. Modify overwinter deer goals in 23 deer management units.
  7. Modify dog trial and training rules.
-

SECTION 1. NR 10.001(24) is repealed and recreated to read:

NR 10.001(24) "Shotgun season" means an open season for hunting with any of the following firearms, as provided in s. NR 10.09, loaded with a single slug or ball:

- (a) For hunting deer, muzzle-loader, shotgun and handgun; or
- (b) For hunting other game, muzzle-loader or shotgun.

SECTION 2. NR 10.01(2)(f)1. and 2. and (3)(e)9.e. are amended to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
NR 10.01(2)(f)1. Zones 1, 2, 3, 4, 5, 6 and 9 and 10 to 12 as described in s. NR 10.29 are open zones. Zones 6, 7 and 8 are closed zones.	Beginning on the Wednesday nearest April 21 and continuing Wednesday through Sunday for 4 consecutive time periods shown in subd. 2.	One male or bearded turkey per season by permit.

NR 10.01(2)(f)2. Hunting zones and ~~1987~~ 1988 permits.

Hunting Zones	Permits for April 23-26 20-24	Permits for April 28 27- May 3 1	Permits for May 6-10 4-8	Permits for May 13-17 11-15
1	220	220	220	220
2	250	250	250	250
3	300	300	300	300

4	300	300	300	300
5	100	100	100	100
6	None <u>125</u>	None <u>125</u>	None <u>125</u>	None <u>125</u>
7	None	None	None	None
8	None	None	None	None
9	120	120	120	120
10	220	220	220	220
11	<u>200</u>	<u>200</u>	<u>200</u>	<u>200</u>
12	<u>200</u>	<u>200</u>	<u>200</u>	<u>200</u>

In all other parts of the state

None

None

None

None

NR 10.01(3)(e)9.e. Deer management units and overwinter population goals expressed in terms of deer per square mile of deer range are as follows:

Management Unit	Deer Goal	Management Unit	Deer Goal
1	15	52	20
2	20	53	25
3	10	54A	25
4	15	54B	25
5	20	54C	25
6	10	55	25
7	10	56	30
8	20	57	15
9	20	57A	25
10	25	57B	25
11	20	57C	25
12	20	58	25
13	15	59A	15
14	15	59B	15
15	25	59C	25
16	25	59D	15
17	15	60	20
18	20	60A	20
19	20	61	20
20	20	62A	25
21	25	62B	25
22	20	63A	25
22A	20	63B	20
23	20	64	15
24	20	65A	25
25	25	65B	25
26	20	66	25
27	15	67	30
28	10	67A	30

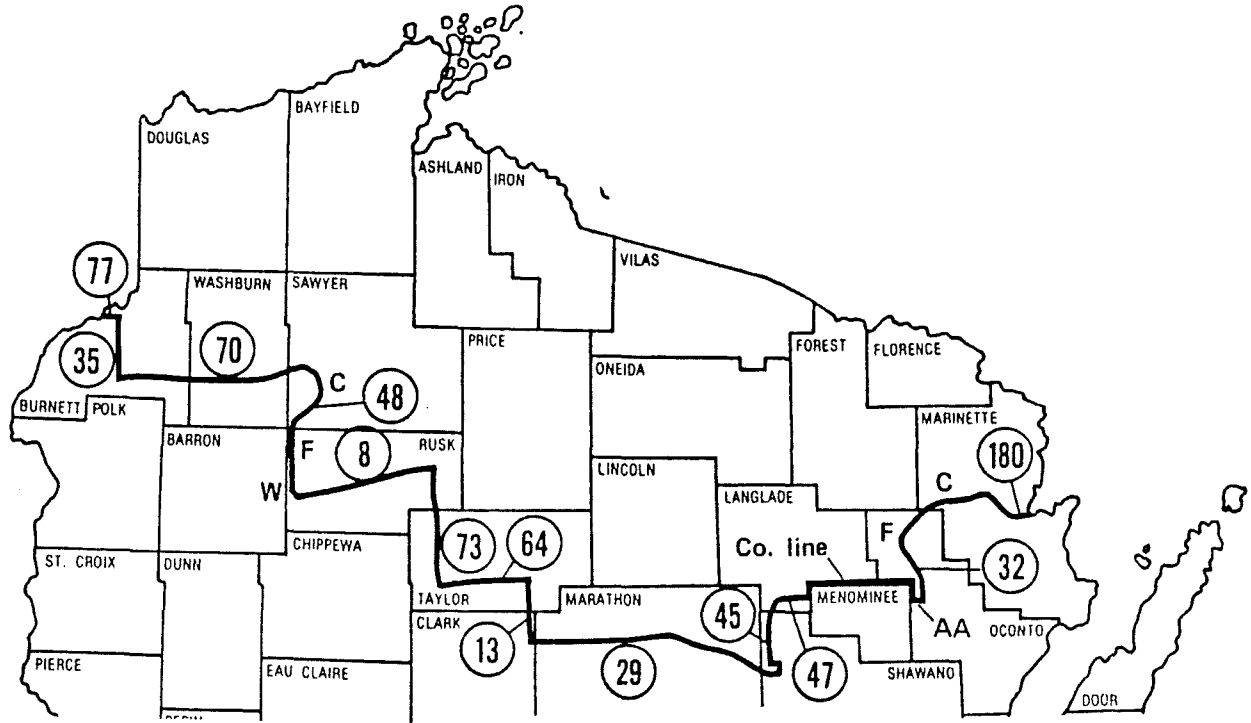
Management Unit	Deer Goal	Management Unit	Deer Goal
29A	15	67B	30
29B	10	68	25
30	15	69	15
31	20	70	25
32	20	70A	25
33	15	70B	25
34	10	70E	25
35	15	71	20
36	25	72	20
37	25	73	20
38	15	73B	15
39	15	73C	20
40	15	74A	15
41	20	74B	15
42	20	75	15
43	15	75A	15
44	15	76	15
45	20	76A	15
46	20	77A	15
47	20	77B	10
48	20	77C	15
49	25	78	25
50	15	80	15
51	20	81	15

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

Kind of animal and locality	Open season (all dates inclusive)	Limit
NR 10.01(3)(h) 1. "Hunting"		
a. North of the highways established by subd. 3.	All year except closed during the gun season as established by s. NR 10.01(3)(e)1.d.	None
b. Remainder of the state	All year	None

SECTION 4. NR 10.01(3)(h)3. is created to read:

NR 10.01(3)(h)3. "Special closure" - No person may hunt, shoot, shoot at, take, catch or pursue any coyote in that portion of the state north of the highways shown in the following map during the closed period described in subd. 1.



SECTION 5. NR 10.01(4)(e)2. is repealed and recreated to read:

NR 10.01(4)(e)2. Permit quota. a. Fisher quotas shall be primarily based on density estimates derived from annual track counts coupled with home range information based on telemetry data, numbers of fishers trapped during the previous year, and the sex, age and reproductive composition of harvested fishers. The department shall issue trapping permits in sufficient numbers to assure healthy, biological populations for each management zone indicated in subd. d.

b. In each management zone, the number of permits to be issued to harvest the desired numbers of fisher shall be based on an average of the trapper success rates from the most recent 3 previous seasons or by an average of fewer seasons where a 3-year average is not available. In establishing a quota for a zone without an adequate history of permits, the average success rates of similar quota areas shall be applied or the department shall estimate an anticipated success rate.

c. Permit success rates used to compute the number of permits to be issued for each quota shall be those calculated by the department from annual fisher season harvest reports.

The success rate formula is:

$$\text{Success rate} = \frac{\text{Number of fisher harvested}}{\text{Number permits issued}}$$

The permit number formula is:

$$\text{Permit number} = \frac{\text{Quota fisher to be harvested}}{\text{Trapper success rate}}$$



d. Fisher management zones and overwinter population goals expressed in terms of fisher per square mile of fisher range are as follows:

Management Zones

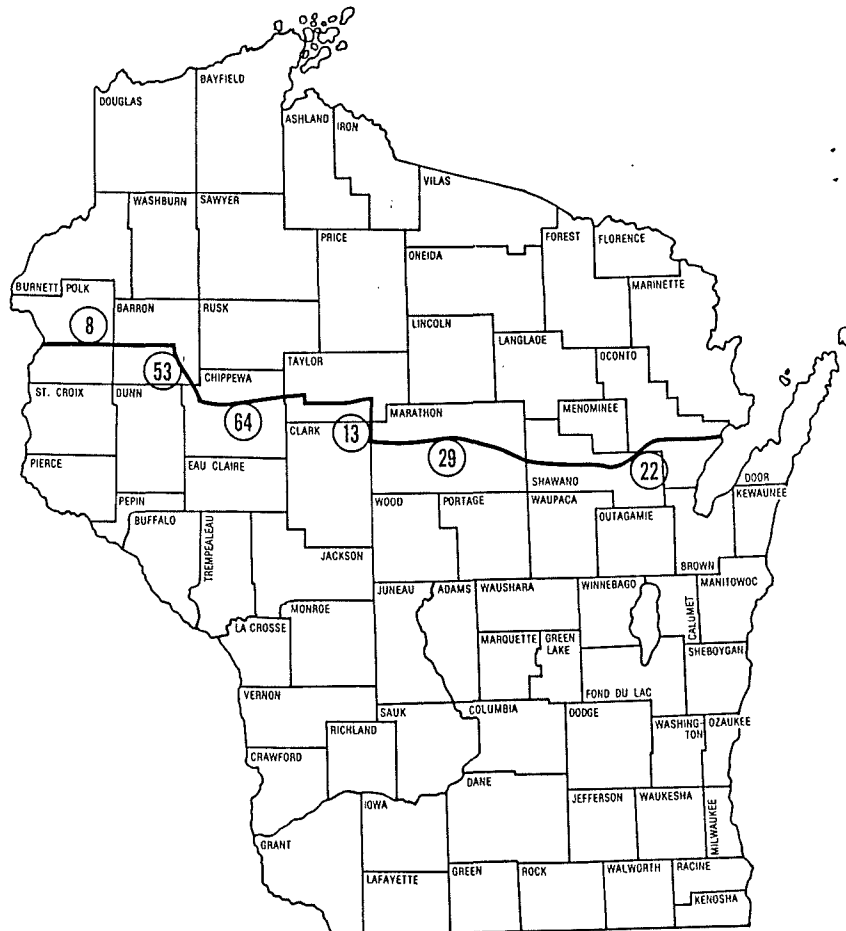
Fisher Goal

A, B and C

1 per 4 square miles

SECTION 6. NR 10.07(1)(i) is created to read:

NR 10.07(1)(i) Dog use. Hunt or pursue any free-roaming wild animal with the aid of dog or dogs May 1 to June 30 in that portion of the state north of the highways shown on the following map except for dog trials and training under permit as established by ch. NR 17:



SECTION 7. NR 10.09(1)(c)1.c. is amended to read:

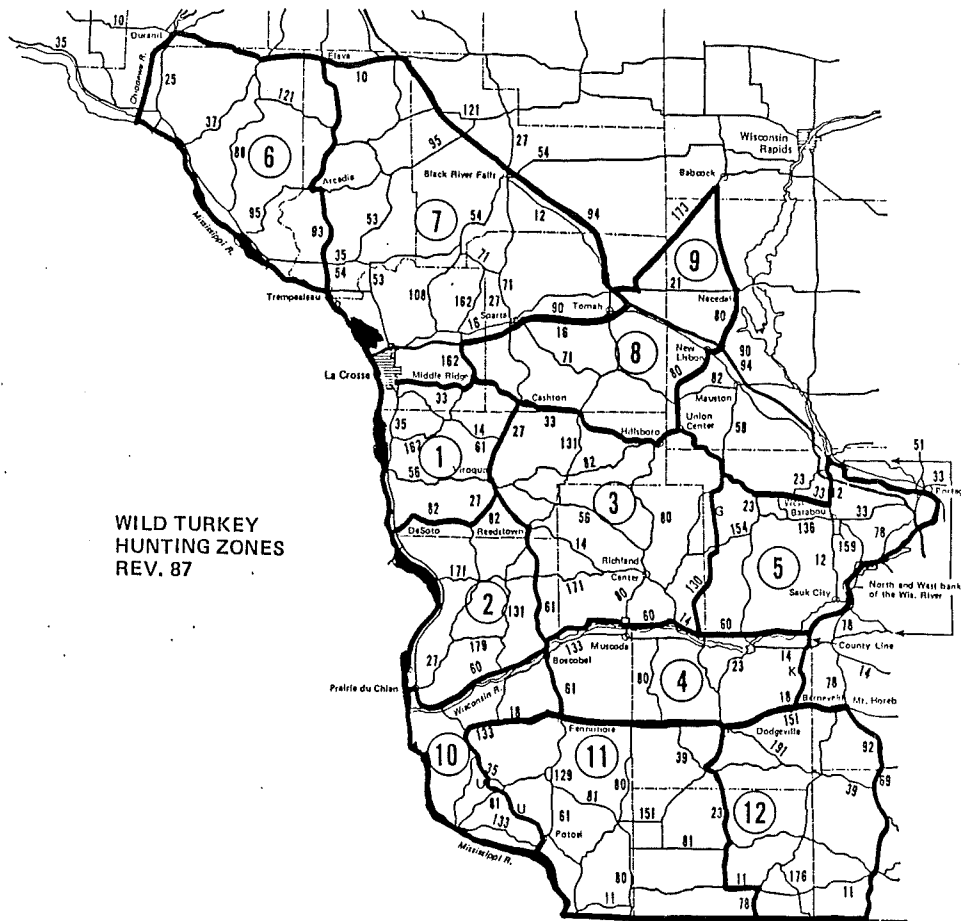
NR 10.09(1)(c)1.c. Deer may be hunted with handguns loaded with .357, .41 and .44 magnum caliber cartridges or any other caliber handgun chambered for commercially manufactured cartridges which produce a minimum muzzle energy of 1000 foot pounds. Such handguns shall have a minimum barrel length of 5 1/2 inches measured from the muzzle to the firing pin with the action closed.

~~Handguns-used-for-deer-hunting-are-restricted-to-areas-open-to-a-firearm-season.--Hunters-using-such-handguns-may-not-possess-any-other-gun-while-hunting-deer.~~

Note: Persons under the age of 18 years, pursuant to s. 941.22, Stats., may not hunt with handguns. Hunters using handguns must comply with all state and federal laws respecting handguns, including s. 941.23, Stats., respecting concealment, and s. 29.224, Stats., respecting transportation. ~~This-rule-only-authorizes-hunting-deer-with-handguns-in-areas-open-to-rifle-hunting-during-the-deer-gun-season.~~

SECTION 8. NR. 10.29 is repealed and recreated to read:

NR 10.29 WILD TURKEY HUNTING ZONES. Wild turkey hunting zones are established as designated on the following map.



DRAFTER'S NOTE: This map creates zones 11 and 12. Zone 4 is modified by separate Administrative Order WM-24-87 and needs to be coordinated with WM-5-87.

SECTION 9. NR 17.01(1)(intro.) is repealed and recreated to read:

NR 17.01(1) PERMITS. Except on the licensed premises of game farms, fur farms and shooting preserves, a permit to conduct dog trials shall be obtained from the department for dog trials when:

(a) Department land. Any protected or unprotected captive animal is used on lands owned or controlled by the department; and

(b) Other land. Any captive protected animal is used on lands not owned or controlled by the department; and

(c) Special area. Any captive or wild, free-roaming animal is used May 1 to June 30 in the area north of the highways described in s. NR 10.07(1)(i).

SECTION 10. NR 17.01(1)(a) to (e) are renumbered NR 17.01(1)(d) to (h).

SECTION 11. NR 17.01(3)(e) is created to read:

NR 17.01(3)(e) Wild animals. Wild, free-roaming animals may not be killed during the closed season.

SECTION 12. NR 17.01(3)(f) and (4)(g) are amended to read:

NR 17.01(3)(f) Mammal identification. ~~Raccoons~~ Captive raccoons used for dog trials shall be tattooed on either ear with a letter-number combination determined by the department unless controlled by leash, cage or similar restraint.

(4)(g) Grounds marshal. A grounds marshal or master of hounds responsible for the dog trial coordination, supervision, clean-up and regulation compliance shall be designated by the permittee for each field trial.

SECTION 13. NR 17.02(1)(intro.) is amended to read:

NR 17.02(1) PERMITS. Except as established by sub. (3)(b), a valid dog training permit shall be required for any person to possess, use or shoot captive protected wild animals released for dog training purposes on any lands. The use of unprotected wild animals does not require a permit except May 1 to June 30 north of the highways described in s. NR 10.07(1)(i). The permit shall:

SECTION 14. NR 17.02(3)(a) is repealed and recreated to read:

NR 17.02(3)(a) Wild animals. Any person may train dogs on, but may not kill free-roaming protected or unprotected wild animals without department approval and:

1. Department lands are restricted as established by sub. (4).
2. Wild bear may only be pursued for dog training purposes July 1 to August 31.
3. Dog training on any wild animal is prohibited May 1 to June 30 north of the highways described in s. NR 10.07(1)(i).

Note: This paragraph clarifies the use of animals which are found in the wild (free-roaming) and not released from captivity at the time of training.

SECTION 15. NR 17.02(3)(c) is amended to read:

NR 17.02(3)(c) Mammal identification. ~~Raccoons~~ Captive raccoons used for dog training shall be tattooed on either ear with letter-number combination determined by the department unless controlled by leash, cage or similar restraint.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on June 25, 1987.

Sections 2 to 6 and 8 to 15 shall take effect on the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22(2)(intro.), Stats. Sections 1 and 7 shall take effect January 1, 1988.

Dated at Madison, Wisconsin

August 31, 1987

STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES

By

Carroll D. Besadny

Carroll D. Besadny, Secretary

(SEAL)  
5800L