



State of Wisconsin

CR 87-102

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny  
Secretary

BOX 7921  
MADISON, WISCONSIN 53707

File Ref:

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-25-87 was duly approved and adopted by this Department on August 27, 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 20<sup>th</sup>  
day of October, 1987

Bruce B. Braun, Deputy Secretary

(SEAL)

RECEIVED

OCT 21 1987

3:25 pm  
Revisor of Statutes  
Bureau

1-1-88

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

.....  
IN THE MATTER of repealing s. NR 10.01(1)(a);  
amending ss. 10.001(19) and 10.06(2)(d); repealing  
and recreating ss. NR 10.01(1)(b), 10.01(1)(c)2.,  
10.01(1)(g), 10.01(1)(L)2.b., 10.01(1)(L)5, and  
10.01(1)(tm)2., 3. and 4., 10.01(1)(u)1.,  
10.09(1)(a)2. and 10.12(3) of the Wisconsin  
Administrative Code pertaining to the 1987  
migratory game bird season  
.....

WM-25-87

Analysis Prepared by Department of Natural Resources

Statutory authority: ss. 29.174(3) and 227.11(2)(a), Stats.

Statutes Interpreted: ss. 29.085 and 29.174(1) and (2), Stats.

The proposed rules establish the regulations for the 1987 migratory game bird season. The significant regulations are:

- Nontoxic shot. Nontoxic shot is redefined to include copper-coated steel shot. Shot size restrictions are liberalized for steel shot use.
- 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 permitting a split season in the south.

The 40-day season in the north begins at noon on October 1 and runs continuously through November 9. The southern season opens at noon on October 1 and continues through October 11 and, following a 9-day closed period, reopens October 21 and continues through November 18. Wisconsin again chose the point system option.

- Canada Geese. The statewide zone line divides the state into 4 basic zones (northwest, northeast, southwest and southeast). However, other special goose management zones include: Horicon, Central, combined Horicon-Central, Brown County, Burnett County, New Auburn, Rock Prairie, Mississippi and Theresa.

The length will be 50 days for the Horicon, Central, combined Horicon-Central, and Theresa Zones, 20 days for the northwest and southwest zones, and 12 days for the remainder. A special Canada goose season allows 70 days of hunting on the Mississippi River. Late Canada goose seasons will extend for 30 days in Rock Prairie and 31 days in the Brown County Zone. However, the experimental Theresa Zone will be closed when the registered Canada goose harvest reaches 2,000.

Permits and tags are required in the Horicon, Central, combined Horicon-Central, and Theresa Zones. Permit limits are established for Horicon (26,000) and Central (14,300) and combined Horicon-Central (3,000) Zones.

- Other geese. The season for geese other than Canada geese will occur concurrent with the 40-day duck season and Canada goose seasons.
- Open water hunting. Open water hunting restrictions are recodified for simplification and clarification purposes.

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SECTION 1. NR 10.001(19) is amended to read:

NR 10.001 (19) "Nontoxic Nontoxic shot" means steel shot and copper or nickel plated steel shot with the plating not exceeding .0002 inches or 1% or less of shot by weight.

SECTION 2. NR 10.01(1)(a) is repealed.

SECTION 3. NR 10.01(1)(b), 10.01(1)(c)2., 10.01(1)(g), 10.01(1)(L)2.b., 10.01(1)(L)5., and 10.01(1)(tm)2., 3. and 4., and 10.01(1)(u)1. are repealed and recreated to read:

Kind of animal	Locality	Open season (all dates inclusive)	Daily bag limit	Possession limit
NR 10.01(1)(b) <u>All species of wild duck</u>	1. Entire state	As established by zone	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	Double the daily bag limit through the entire open season, except opening day when it is the same as the daily bag limit
	2. 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 the city of Manitowoc, and continuing east to the state boundary in Lake Michigan	Oct. 1 at 12:00 noon-Nov. 9	Point values- 100 points: black duck and hen mallard  70 points: redhead, wood duck, and hooded merganser  35 points: drake mallard, ringneck, ruddy duck, goldeneye, bufflehead, pin-tail, and all other ducks not specifically listed  20 points: scaup, blue-winged teal, green-winged teal, wigeon, gadwall, shoveler, and all other mergansers	
	3. South zone - Remainder of the state	Oct. 1 at 12:00 noon-Oct. 11; Oct. 21-Nov. 18	Point values - 100 points: black duck and hen mallard  70 points: redhead, wood duck, and hooded merganser	

Kind of animal	Locality	Open season (all dates inclusive)	Daily bag limit	Possession limit
			35 points: drake mallard, ringneck, ruddy duck, goldeneye, bufflehead, pintail, and all other ducks not specifically listed	
			20 points: scaup, blue-winged teal, green-winged teal, gadwall, wigeon, shoveler, and all other mergansers	
NR 10.01(1)(c)	1. Within the 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 shoreline in the waters of Green Bay	Beginning the day after the season established in par. (b)2. and continuing for 16 days	5	10
	2. Within the 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 from shore or beyond 1,000 feet from the shoreline in Lake Winnebago	Beginning the day after the season established in par. (b)3. and continuing for 16 consecutive days	5	10
NR 10.01(1)(g) Geese. 1. Canada geese and its subspecies	a. Within the northwest zone except for those areas described in subpars. b.-d., all that part of Wisconsin lying north and west of a line beginning at the junction of the center line of the western state boundary on the Mississippi river and the center line of the Chippewa river, then north on the Chippewa river's center line to its junction with state highway 35, then east on state highway 35 to its junction with	Oct. 1 at 12:00 noon-Oct. 20	1	2

<p>state highway 25, then north on state highway 25 to its junction with U.S. highway 10, then east on U.S. highway 10 to its junction with the east boundary of Clark county, then north along the east boundary of Clark county and continuing north along the east boundaries of Taylor, Price and Iron counties to the northern state boundary</p>	<p>Oct. 1 at 12:00 noon–Nov. 15; Nov. 25–Dec. 18</p>	<p>1 2</p>	<p>2 4</p>
<p>b. Mississippi river zone as described in par. (s) north of a line extending from the centerline of the Chippewa river</p>			
<p>c. Burnett county zone as described in par. (m)</p>	<p>None</p>	<p>None</p>	<p>None</p>
<p>d. New Auburn zone as described in par. (o)</p>	<p>None</p>	<p>None</p>	<p>None</p>
<p>e. Within the northeast zone except for those areas described in subpar. f., all that part of Wisconsin lying east of the northwest zone described in subpar. a. and north of U.S. highway 10 and a line extending east from the city of Manitowoc to the state line</p>	<p>Oct. 1 at 12:00 noon–Oct. 12</p>	<p>1</p>	<p>2</p>
<p>f. Brown county zone as described in par. (n)</p>	<p>Oct. 1 at 12:00 noon–Oct. 12; Dec. 1–31</p>	<p>1 2</p>	<p>2 4</p>
<p>g. Within the southeast zone except for those areas described in subpars. h.–L., all that part of Wisconsin lying south of the northeast zone described in subpar. e. and east of the boundaries of Clark, Jackson, Monroe, Vernon, Richland, Iowa and Lafayette counties</p>	<p>Oct. 21–Nov. 1</p>	<p>1</p>	<p>2</p>
<p>h. Horicon zone as described in par. (j)</p>	<p>Two permit periods: Oct. 1 at 12:00 noon–Oct. 20; Oct. 12–Nov. 9</p>	<p>The daily and possession limits are restricted by a season limit of one</p>	
<p>i. Central zone as described in par. (k)</p>	<p>Oct. 1 at 12:00 noon–Nov. 9</p>	<p>The daily and possession limits are restricted by a season limit of one</p>	

j. Theresa zone as described in par. (t)	Oct. 1 at 12:00 noon-Nov. 19 or until registered harvest reaches 2,000, whichever occurs first	Limited to one goose per 5-day period	The possession and season limits are 4
k. Rock Prairie zone as described in par. (p)	Oct. 21-Nov. 1; Nov. 7-Dec. 6	1	2
l. Combined Horicon and Central zones	Dec. 1-10	The daily and possession limits are restricted by a season limit of 2	
m. Within the southwest zone except those areas described in subpar. n., all that part of Wisconsin lying south of the northwest zone described in subpar. a. and west of the southeast zone described in subpar. g.	Oct. 1 at 12:00 noon-Oct. 11; Oct. 21-Oct. 29	1	2
n. Mississippi river zone as described in par. (s) south of a line extending from the centerline of the Chippewa river	Oct. 1 at 12:00 noon-Oct. 11; and Oct. 21-Nov. 24; Nov. 25-Dec. 18	1 2	2 4
2. All other species	Entire state	Concurrent with the wild duck and Canada goose seasons established in pars. (b) and (g)	A total of 5 including 2 white-fronted geese and not more than the established daily limit for 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 the established possession or season limit on Canada geese or its subspecies during the open season on Canada geese

NR 10.01(1)(L)2.b. In the Horicon and Central zones, applicants may indicate preference for the following seasons as established in par. (g):

- 1) Horicon Zone Oct. 1 (noon) - Oct. 20; or
- 2) Horicon Zone Oct. 12 - Nov. 9; or
- 3) Central Zone Oct. 1 (noon) - Nov. 9; or
- 4) Combined Horicon and Central Zones Dec. 1-10

NR 10.01(1)(L)5. Permit quota. The department shall issue not more than the following numbers of Canada goose permits for the 1987 hunting season:

- a. Horicon Zone - 26,000
- b. Central Zone - 14,300
- c. Combined Horicon and Central Zones - 3,000

NR 10.01(1)(tm)2. Permit application procedures. Application forms supplied by the department shall be completed in person by each applicant at the department station located adjoining Theresa Station. Department station hours are 9:00 a.m. - 4:00 p.m., September 26-30 and 5:30 a.m. - 3:00 p.m., October 1 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 one carcass tag. The first carcass tag shall be valid for a 5-day period beginning with the first day of hunting as indicated on the permit. Additional carcass tags, up to 3 and issued one at a time, may be obtained from the department station located adjoining Theresa Station when the applicant registers a goose as required in subd. 5. provided the harvest quota has not been reached. Each additional carcass tag will be valid for a 5-day period beginning with the first day of hunting as indicated on the permit. Horicon and Central zone permit holders may also hunt in the Theresa zone provided the Theresa zone quota has been reached and the Horicon and Central zone permits are still valid. Permits and tags are not transferable or replaceable and may not be reused, altered or defaced.

4. Tagging, transportation and reporting requirements. Tagging, transportation, and reporting requirements are as established by par.(L)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 8:00 p.m. on the opening day of the migratory game bird season established by s. NR 10.01(1)(g)1.j. and no later than 3:00 p.m. on the day it was killed during the remainder of the season.

Kind of animal	Locality	Open season (all dates inclusive)	Daily bag limit	Possession limit
NR 10.01(1)(u) 1. All species of wild duck, mergansers and coots	Entire state	Oct. 1 at 12:00 noon through Jan. 15	3	6

SECTION 4. NR 10.06(2)(d) is amended to read:

NR 10.06(2)(d) Migratory game bird hunting. 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 goose shall close at 1:00 p.m. daily beginning the second day of the season and extending to season close.

SECTION 5. NR 10.09(1)(a)2. is repealed and recreated to read:

NR 10.09(1)(a)2. Size. Possess or have in control while hunting, shells containing shot larger than no. BB June 1 through December 31, except during the open season established in s. NR 10.01(1)(b), (c), (d) and (g) when nontoxic shot size BBB and T may be used for hunting migratory game birds.

SECTION 6. NR 10.12(3) is repealed and recreated to read:

NR 10.12(3) OPEN WATER RESTRICTIONS. No person may hunt waterfowl in open water from any blind which may include any boat, canoe, raft, contrivance or similar device except:

(a) Mississippi river. Blinds in any of the waters of the Mississippi river and adjoining counties provided the blinds are securely anchored and located not more than 100 feet from any shoreline including islands. Blinds in open water in Grant county and the Lake Pepin portions of the Mississippi river are permitted regardless of the distance from shore provided the blinds are securely anchored.

(b) Great Lakes area. Blinds in open waters of Lake Superior, Lake Michigan and Green Bay beyond 500 feet of any lake or bay shoreline. Blinds do not have to be anchored in these areas.

(c) Lake Winnebago and Petenwell flowage. Blinds in open waters of Lake Winnebago and Petenwell flowage (north of state highway 21 and south of state highway 73) if more than 1,000 feet from any shoreline including islands provided blinds are securely anchored.

(d) Blind removal. All open water blinds shall be removed at the close of hunting hours each day.

The foregoing rules were approved and adopted by the Natural Resources Board on August 27, 1987.

Sections 1 to 5 shall take effect the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22(2)(intro.), Stats. Section 6 shall take effect on January 1, 1988.

Dated at Madison, Wisconsin

October 20, 1987

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By

Carroll D. Besadny  
Carroll D. Besadny, Secretary

(SEAL)  
2615M



State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny  
Secretary

BOX 7921

MADISON, WISCONSIN 53707

1020

File Ref:

RECEIVED

OCT 21 1987

Revisor of Statutes  
Bureau

October 20, 1987

Mr. Orlan L. Prestegard  
Revisor of Statutes  
Suite 702  
30 W. Mifflin Street

Dear Mr. Prestegard:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. WM-25-87. These rules were reviewed by the Assembly Committee on Tourism, Recreation and Forest Productivity and the Senate Committee on Transportation, Tourism and Conservation pursuant to s. 227.19, Stats. A summary 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.