



**Department of Natural Resources
Annual Spring Fish & Wildlife
Rule Hearings**

&

**Wisconsin Conservation Congress
Annual County Meetings**



Monday, April 13, 2009

7:00 PM

Agenda

- | | |
|--|---------------------|
| 1. Registration | |
| 2. WCC – Delegate Elections | WCC Delegate(s) |
| 3. DNR – Fisheries Rules Hearing | DNR Hearing Officer |
| 4. DNR – Wildlife Rules Hearing | DNR Hearing Officer |
| 5. Natural Resources Board Advisory Question | DNR Hearing Officer |
| 6. WCC – Advisory Questions | WCC Delegate(s) |
| 7. Citizen Resolutions | WCC Delegate(s) |

Everyone will be given an opportunity to comment on the questions, but you will be limited to a maximum of three (3) minutes for each question that you wish to discuss. If comments become repetitive the hearing officer may limit comments to issues not previously presented. No argument or rebuttal will be allowed on DNR rule proposals. Written comments on all DNR rule proposals will be accepted until April 14, 2009.

To ensure that you are able to provide your input on the proposals presented, make sure you:

- | | |
|--|--|
| <input type="checkbox"/> Are registered | <input type="checkbox"/> Received a white ballot |
| <input type="checkbox"/> Received this questionnaire | <input type="checkbox"/> Received a blue ballot |
| <input type="checkbox"/> Have a pencil | |

If you are a resident of the county in which you are attending the meeting, and are at least 18 years of age you may vote for the Wisconsin Conservation Congress delegates. A photo id is required in order to receive ballots to vote for candidates. If you meet these criteria, you will receive:

- | | |
|---|---|
| <input type="checkbox"/> 2-Year Term ballot | <input type="checkbox"/> 3-Year Term ballot |
| <input type="checkbox"/> 2-Year Term run off ballot | <input type="checkbox"/> 3-Year Term run off ballot |

If you are a resident of the county in which you are attending the meeting, and are at least 18 years of age you may run to be elected to the Wisconsin Conservation Congress.

**Please visit our website at
dnr.wi.gov/org/nrboard/congress/springhearings/**

Important Notice: Statewide Electronic Balloting

Please read the instructions below before voting.

Again this year, votes in every county will be recorded on electronic ballots. Statewide, no hand count will be taken.

After you have registered, staff will provide you with a **white ballot** – the white ballot is for all the Department of Natural Resources Proposed Wildlife & Fisheries rule changes, the Natural Resources Board advisory question, and the Wisconsin Conservation Congress advisory questions that are printed in this questionnaire.

You will also be given a **blue ballot** – the blue ballot is for all citizen introduced resolutions which are presented at the end of the Conservation Congress county meeting.

In order for ballots to be read correctly by the voting machine:

- Use a PENCIL on ballots - **not pen**
- DO NOT erase (If you make a mistake, please turn in your original ballot and request a new ballot)
- DO NOT circle answers
- DO NOT make notes or stray marks anywhere on the ballot
- If you DO NOT follow these directions your ballot may not be readable and therefore may not be counted.

Please see the following examples of the use of the white ballot and blue ballots.

Sample white ballot: The white ballot is for proposed questions contained within the questionnaire.

DEPARTMENT OF NATURAL RESOURCES SPRING HEARING QUESTIONS		
To vote on a question, complete the arrow to the RIGHT of "YES" if in favor of the question or complete the arrow to the RIGHT of "NO" if opposed to the question.		
IMPORTANT: USE A #2 PENCIL OR THE MARKING PEN PROVIDED. DO NOT USE BALL POINT PEN.		
Question 1:	Question 18:	Question 35:
YES	YES	YES
NO	NO	NO
Question 2:	Question 19:	Question 36:
YES	YES	YES
NO	NO	NO
Question 3:	Question 20:	Question 37:
YES	YES	YES

Question 1: Do you support changing the date of the ruffed grouse season?

1. Yes _____ No _____

If you are **in favor** of the question, please mark **Yes** as indicated above. If you are **Not** in favor of the proposed question please mark **No**.

Sample blue ballot: The blue ballot is for citizen introduced resolutions that are introduced on the floor this evening and are posted for your vote.

**CONSERVATION CONGRESS
SPRING HEARING RESOLUTIONS**

To vote on a question, complete the arrow to the RIGHT of "YES" if in favor of the question or complete the arrow to the RIGHT of "NO" if opposed to the question.

IMPORTANT: USE A #2 PENCIL OR THE MARKING PEN PROVIDED. DO NOT USE BALL POINT PEN.

<p>Resolution 1:</p> <p>YES </p> <p>NO </p>	<p>Resolution 18:</p> <p>YES </p> <p>NO </p>	<p>Resolution 35:</p> <p>YES </p> <p>NO </p>
<p>Resolution 2:</p> <p>YES </p> <p>NO </p>	<p>Resolution 19:</p> <p>YES </p> <p>NO </p>	<p>Resolution 36:</p> <p>YES </p> <p>NO </p>
<p>Resolution 3:</p> <p>YES </p> <p>NO </p>	<p>Resolution 20:</p> <p>YES </p> <p>NO </p>	<p>Resolution 37:</p> <p>YES </p> <p>NO </p>

Resolution 1: BE IT RESOLVED, the Conservation Congress at its annual meeting held in Your County on Month, Date, Year, recommends that the Department of Natural Resources take action to correct this situation by introducing rule changes allowing a spring dinosaur hunting season?
1. Yes _____ No _____

If you are **in favor** of the question, please mark **Yes** as indicated above. If you are **Not** in favor of the proposed question please mark **No**.

And remember, in order for ballots to be read correctly by the voting machine:

- Use a PENCIL on ballots - not pen
- DO NOT erase (If you make a mistake, please turn in your original ballot and request a new ballot)
- DO NOT circle answers
- DO NOT make notes or stray marks anywhere on the ballot
- If you DO NOT follow these directions your ballot may not be readable and therefore may not be counted.

**The results of the 2009 Spring Hearings will be available online beginning
Wednesday, April 15, 2009.**

The results can be found at dnr.wi.gov/org/nrboard/congress/springhearings/

**Results of Citizen Resolutions introduced at the 2009 Spring Hearings will be posted on the WCC Website (dnr.wi.gov/org/nrboard/congress/) on June 1, 2009.
OR, you can find out the results of the resolutions by contacting your Conservation Congress County Chairman after May 11, 2009.**

Thank you for your participation and cooperation.

Please enjoy the Hearing and Meeting.

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The 4th Annual Wisconsin Outdoor Education Expo Needs Volunteers and Sponsorships Thursday, May 14th and Friday, May 15th

Help get our kids involved in hunting, fishing and conservation heritage.
Help make Expo 2009 a success!



Fishing • Sporting Dogs • Wildlife Trail • Heritage • Archery •
Firearm Safety • Camping and Trail Recreation
For more information or to get involved visit www.wisexpo.com
or call Heidi Hubble 1.877.WIS.EXPO



BEFORE THE
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PUBLIC HEARINGS
FH-01-09
WM-01-09

NOTICE IS HEREBY GIVEN that pursuant to ss. 29.014(1), 29.039, 29.041, 29.053 and 227.11(2)(a), Stats., interpreting ss. 29.014(1), 29.039, 29.041, 29.053, 29.531, 29.533, and 29.537 Stats., the Department of Natural Resources will hold public hearings on revisions to chs. NR 20, 21, 22 and 23, Wis. Adm. Code, relating to fishing and clamming on the inland, outlying and boundary waters of Wisconsin. The proposed rules will:

1. Allow the department to conduct criminal history background checks on individuals that want to serve as department sponsored volunteer angler education instructor or a mentor as part of a department sponsored or approved learn-to-hunt program. These instructors often and primarily serve as instructors for youth. This proposal would also remove the condition that a mentor for fishing programs may not serve as a mentor for more than 3 anglers and clarify that the applicant, instructors and mentors need to possess a valid fishing license. This will also reduce the 30 day advanced notice for applications for fishing programs to 15 days.
2. Correct an administrative error which was included in the recently adopted rules regarding minnow harvest and possession, as related to concerns regarding containing the spread of Viral Hemorrhagic Septicemia.
3. Clarify legality of using a small remote controlled boat or similar device with a piece of line and hook attached for the purpose of catching fish in Wisconsin. Our interpretation of the law is that these devices when used for fishing, if not tethered back to the boat, pier or shore where the person operating it is located, is not allowed under our "jug-fishing" rule in NR 20.06(10).
4. Clarify that either a small game license or a fishing license is sufficient approval for a person older than 16 to take crayfish in Wisconsin.
5. Clarify boundaries of large rivers and their tributaries.
6. Repeal the barbless hooks requirement for early trout season.
7. Prohibit collection of live mussels or dead shell from the St. Croix River National Scenic Riverway, and eliminate commercial mussel harvest in the St. Croix River where it forms the boundary between Wisconsin and Minnesota (the activity is already prohibited by National Park Service rules), and in the St. Louis River where it forms the boundary between Wisconsin and Minnesota.
8. Set a minimum length restriction for walleye in Upper Clam lake (Ashland county) of 15 inches.
9. Increase the minimum length restriction for walleye in Beaver Dam lake (Barron county) from 15 inches to 18 inches, and reduce the daily angler bag limit for walleye from 5 fish to 3 fish.
10. Create an annual open season for trout in Beaver, Little Star, Nymphia, and Overby (Blaisdell) lakes (Bayfield county), where the seasons in these lakes are currently closed every other year. The annual open season in the other waters will be between the first Saturday in May and September 30.
11. Remove the 14 inch minimum length restriction for largemouth and smallmouth bass in Lake 26 (Burnett county).
13. Extend the end of open season for trout in Anderson lake (Douglas county) from September 30 to the first Sunday in March.
14. Set a minimum length restriction for walleye in Bearskull, Fisher, Owl, and Upper and Lower Springstead lakes (Iron county) of 15 inches.
15. Increase the minimum size restriction for northern pike in Silver lake (Manitowoc county) from 26 to 32 inches and reduce the daily angler bag limit from 2 to 1.
16. Correct an administrative error which improperly lists the minimum length restriction for walleye in the Wisconsin river downstream from the St. Regis dam in Rhinelander (Oneida county) as none rather than 15 inches.
17. Increase the minimum length restriction for largemouth and smallmouth bass in Burrows lake (Oneida county) from 14 inches to 18 inches, and decrease the daily angler bag limit from 5 to 1.
18. Increase the minimum length restriction for walleye in Big Round lake (Polk county) from 15 inches to 18 inches, and reduce the daily angler bag limit for walleye from 5 fish to 3 fish.
19. Replace the current 9 inch minimum length restriction for trout in Manley creek (Sauk county) with a 9 inch maximum size restriction. This rule will expire 10 years after implementation.
20. Increase the minimum size restriction for muskellunge in Big Sand, Kentuck, and Long lakes (Vilas county) from 34 inches to 50 inches.
21. Set a minimum size restriction for walleye in Dead Pike lake (Vilas county) of 18 inches, and reduce the daily angler bag limit from 5 to 3.
22. Remove the current 15 inch minimum size restriction for walleye in North Twin and South Twin lakes (Vilas county), but stipulate that walleye between 14 and 18 inches may not be kept and only 1 walleye larger than 18 inches may be part of an angler's 3 fish daily bag limit.

23. Increase the minimum length restriction for walleye in White Sand (T42 N R7E S27,) and Long lakes (Vilas county) from 15 inches to 18 inches, and reduce the daily angler bag limit for walleye from 5 fish to 3 fish, and also correct an administrative error which improperly lists the closing date of the open angling season for walleye as March 1 rather than the first Sunday in March.

24. Add Regner (Washington county) and Foxbrook (Waukesha county) ponds to the state's urban fishing program, in which there would be a continuous open season but only persons under 16 years of age or disabled pursuant to s 29.193 (3) (a), (b) or (c), Stats., may fish from the second Saturday in March to but not including the last Saturday in April, and in which persons may possess 1 largemouth bass, smallmouth bass, northern pike, walleye, sauger or hybrid in total; 10 panfish and bullheads in total; 3 trout and salmon in total, and an unlimited number of rough fish.

25. Correct an administrative error regarding bag limits for walleye, sauger, and their hybrids in Lake Winnebago. Current rules allow 5 walleye and 1 sauger or walleye/sauger hybrid, but the bag limit should be 5 walleye/sauger/ hybrids in total, only 1 of which may be a sauger or walleye/sauger hybrid.

NOTICE IS HEREBY FURTHER GIVEN that pursuant to ss. 23.09(2)(b), 29.014, 29.053(3), 29.059, 29.089, 29.192 and 29.193, Stats., interpreting ss. 23.09(2)(b), 29.014, 29.053(3), 29.059, 29.089, 29.192 and 29.193, Stats., the Department of Natural Resources will hold public hearings on revisions to chs. NR 10, 11 and 15, Wis. Adm. Code, relating to hunting and trapping regulations and the use of department managed lands. The proposed rules will:

1. Clarify the definition of "open water hunting" for waterfowl.
2. Allow the harvest stocked hen pheasants at Sand Creek Fishery Area, Monroe County.,
3. Extend the fall turkey season to Dec. 31 in zones 1 - 5, except for the nine-day deer season.
4. Modify bobcat hunting, trapping, cable restraint seasons and reporting.
5. Allow the use of rifles for firearm deer hunting in Dunn and Shawano Counties.
6. Allow firearm deer hunting at Potawatomi and Whitefish Dunes state parks, Door County and allow the use of rifles for deer hunting at all of Hartman Creek state park, Waupaca and Portage counties.
7. Establish that the 19-day muzzleloader-only season and late archery season is antlerless only but buck hunting can be allowed in certain years at Wildcat Mountain state park, Vernon County.
8. Eliminate the late archery deer hunt at Brunet Island state park.
9. Eliminate the special state park hunting season and allow hunting during all normal deer seasons at Cadiz Springs Recreation Area.
10. Establish a special migratory bird hunt with a 1:00 p.m. closure, regulations, and modify refuges at Mead wildlife area, Wood, Portage and Marathon counties and Lake Mills wildlife area, Jefferson County.
11. Clarify the definition of legal firearm types for hunting.
12. Create flexibility in the methods for issuing left-over turkey hunting permits.
13. Create flexibility to register wild turkeys by methods other than in person at registration stations.
14. Allow the use of electronic calls for turkey hunting by certain holders of disabled hunting permits.
15. Allow the use of dogs for turkey hunting during the fall season statewide.
16. Require the registration of sharp-tailed grouse harvest.
17. Allow hunting during special turkey hunts by holders Class B disabled hunting permits that are valid for hunting from a vehicle and issued for more than one year.
18. Eliminate the Nelson-Travino Mississippi River closed area in Buffalo County.
19. Reduce the size of Dike 17 waterfowl refuge and allow trapping and firearm deer hunting (Jackson County).
20. Reduce the size of Vernon Marsh waterfowl refuge because certain areas are no longer needed as goose refuge (Waukesha County).

NOTICE IS HEREBY FURTHER GIVEN that pursuant to s. 227.114, Stats., it is not anticipated that the proposed rules will have a significant economic impact on small businesses. The Department's Small Business Regulatory Coordinator may be contacted at SmallBusiness@dnr.state.wi.us or by calling (608) 266-1959.

NOTICE IS HEREBY FURTHER GIVEN that the Department has made a preliminary determination that this action does not involve significant adverse environmental effects and does not need an environmental analysis under ch. NR 150, Wis. Adm. Code. However, based on the comments received, the Department may prepare an environmental analysis before proceeding with the proposal. This environmental review document would summarize the Department's consideration of the impacts of the proposal and reasonable alternatives.

NOTICE IS HEREBY FURTHER GIVEN that at 7:00 p.m. on Monday, April 13, 2009, the Wisconsin Conservation Congress will hold its election of county delegates in each county. Upon completion of the delegate elections, the joint Spring Hearing/Conservation Congress meeting will convene to take comments on the foregoing rule modifications.

NOTICE IS HEREBY FURTHER GIVEN that the hearings will be held on Monday, April 13, 2009 at 7:00 p.m. at the following locations:

Adams	Adams County Courthouse, Board Room, 402 Main Street, Friendship
Ashland	Ashland Senior High School, Auditorium, 1900 Beaser Avenue, Ashland
Barron	Barron Government Center, 330 E. LaSalle Ave., Barron
Bayfield	Drummond high School, Auditorium, 52440 Eastern Ave., Drummond
Brown	Franklin Middle School, Auditorium, 1234 W. Mason, Green Bay
Buffalo	Alma High School, Gymnasium, S1618 STH 35, Alma
Burnett	Burnett County Government Center, Room 165, 7410 County Road K, Siren
Calumet	Calumet County Courthouse, B025, 206 Court Street, Chilton
Chippewa	Chippewa Falls Middle School, Auditorium, 750 Tropicana Blvd., Chippewa Falls
Clark	Greenwood High School, Cafetorium, 306 W. Central Ave., Greenwood
Columbia	Portage Junior High School, 2505 New Pinery Rd., Portage
Crawford	Crawford County Courthouse, Court Room, 220 N. Beaumont Road, Prairie du Chien
Dane	Middleton Performing Arts Center at Middleton High School, 2100 Bristol St., Middleton
Dodge	Horicon City Hall, 404 E. Lake Street, Horicon
Door	Crossroads at Big Creek, 2041 Michigan Ave., Sturgeon Bay
Douglas	Brule Town Hall, 5814 S. Maple St., Brule
Dunn	Dunn County Fish and Game Club, 1900 Pioneer Ave., Menomonie
Eau Claire	South Middle School, Auditorium, 2115 Mitscher Ave., Eau Claire
Florence	Florence Natural Resource Center, Basement, Highway 70/101, Florence
Fond du Lac	Theisen Middle School, 525 E Pioneer Road, Fond du Lac
Forest	Crandon High School, Auditorium, 9750 USH 8 W, Crandon
Grant	Lancaster High School, Auditorium, 806 Elm Street, Lancaster
Green	Monroe Middle School, 1510 13 th Street, Monroe
Green Lake	Green Lake High School, Small Gym, 612 Mill St., Green Lake
Iowa	Dodgeville High School, Gymnasium, 912 West Chapel Street, Dodgeville
Iron	Iron County Courthouse, 300 Taconite St., Hurley
Jackson	Black River Falls Middle School, LGI Room, 1202 Pierce Street, Black River Falls
Jefferson	Jefferson County Fairgrounds, Activity Center, 503 N. Jackson Ave., Jefferson
Juneau	Olson Middle School, Auditorium, 508 Grayside Avenue, Mauston
Kenosha	Bristol Grade School, Gymnasium, 20121 83 rd Street, Bristol
Kewaunee	Kewaunee High School, Auditorium, 911 3 rd Street, Kewaunee
La Crosse	Onalaska High School, Field House, 700 Hilltop Place, Onalaska
Lafayette	Darlington High School, Auditorium, 11838 Center Hill Road, Darlington
Langlade	Antigo High School, Volm Auditorium, 1900 10 th Avenue, Antigo
Lincoln	Tomahawk Elementary School, 1048 East Kings Road, Tomahawk
Manitowoc	UW Manitowoc, Theater, 705 Viebahn Street, Manitowoc
Marathon	D.C. Everest Middle School, 9302 Schofield Avenue, Weston
Marinette	Crivitz High School, Auditorium, 400 South Ave, Crivitz
Marquette	Montello High School, Community Room, 222 Forest Lane, Montello
Menominee	Menominee County Courthouse, Basement, Courthouse Lane, Keshena
Milwaukee	Nathan Hale High School, Auditorium, 11601 West Lincoln Avenue, West Allis
Monroe	Tomah High School, Cafeteria, 901 Lincoln Ave., Tomah
Oconto	Suring High School, Cafeteria, 411 E. Algoma St., Suring
Oneida	James Williams Junior High School, 915 Acacia, Rhinelander
Outagamie	Riverview Middle School, Auditorium, 101 Oak Street, Kaukauna
Ozaukee	Port Washington American Legion, 435 Lake St., Port Washington
Pepin	Pepin County Government Center, County Board Room, 740 7th Avenue W., Durand
Pierce	Ellsworth Senior High School, Gymnasium, 323 Hillcrest St., Ellsworth
Polk	Unity High School, Gymnasium, 908 150th Street/Hwy 46, Balsam Lake
Portage	Ben Franklin Junior High School, Auditorium, 2000 Polk Street, Stevens Point
Price	Price County Courthouse, County Board Room, 126 Cherry Street, Phillips
Racine	Union Grove High School, Auditorium (Use Hwy. 45 School Entrance), 3433 S. Colony Ave., Union Grove
Richland	Richland County Courthouse, 181 West Seminary, Richland Center
Rock	Pontiac Convention Center, 2809 N. Pontiac Dr., Janesville
Rusk	Ladysmith High School, Auditorium, 1700 E. Edgewood Ave., Ladysmith
Sauk	UW – Baraboo Sauk County, R.G. Brown Theater, 1006 Connie Road, Baraboo
Sawyer	Hayward High School, Auditorium, 10320N Greenwood Ln., Hayward
Shawano	Shawano Community Middle School, LGI Room, 1050 S. Union Street, Shawano
Sheboygan	Sheboygan Falls High School, Auditorium, 220 Amherst Avenue, Sheboygan Falls
St. Croix	WI Indianhead Technical College, Cashman Conf. Room, 1019 S. Knowles Ave., New Richmond
Taylor	Taylor Co. Fairgrounds, Multipurpose Building, State Hwy 13 and Hwy 64 Intersection, Medford

Trempealeau	Whitehall City Center, Gymnasium, 36245 Park Street, Whitehall
Vernon	Viroqua High School, 100 Blackhawk Drive, Viroqua
Vilas	Town of Plum Lake Town Hall, 235 Lake St., Sayner
Walworth	Delavan/Darien High School, Auditorium, 150 Cummings, Delavan
Washburn	WI Ag Research Station, W6646 Hwy 70, Spooner
Washington	Washington County Fair Park, Exhibit Hall, 3000 Hwy PV, West Bend
Waukesha	Waukesha Co. Tech. College (WCTC), Anderson Education Center, 800 Main St., Pewaukee
Waupaca	Waupaca High School, Auditorium, E2325 King Road, Waupaca
Waushara	Waushara County Court House, 2 nd Floor Old Courtroom, 209 S. St. Marie, Wautoma
Winnebago	Webster Stanley Auditorium, 915 Hazel Street, Oshkosh
Wood	Pittsville High School, Auditorium, 5459 Elementary Ave., Pittsville

NOTICE IS HEREBY FURTHER GIVEN that pursuant to the Americans with Disabilities Act, reasonable accommodations, including the provision of information material in an alternative format, will be provided for qualified individuals with disabilities upon request. Please call Kari Lee-Zimmermann at (608) 266-2952 with specific information on your request by April 6, 2009.

The proposed rules and fiscal estimates may be reviewed and comments electronically submitted at the following Internet site: <http://adminrules.wisconsin.gov>. Written comments on the proposed hunting and trapping regulations may be submitted via U.S. mail to Mr. Scott Loomans, Bureau of Wildlife Management, P.O. Box 7921, Madison, WI 53707. Written comments on the proposed fishing regulations may be submitted via U.S. mail to Mr. Joe Hennessy, Bureau of Fisheries Management, P.O. Box 7921, Madison, WI 53707. Written comments shall be postmarked not later than April 14, 2009. Written comments whether submitted electronically or by U.S. mail will be summarized for the Natural Resources Board, however, they will not be tallied along with the responses received at the county hearings.

Dated at Madison, Wisconsin _____

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By _____
Matthew J. Frank, Secretary

Conservation Congress Delegate Election

Each April, there is one 2-year term and one 3-year term available on the Wisconsin Conservation Congress (WCC), unless other vacancies occur. County residents in attendance at the annual county meeting have the opportunity to nominate a peer.

The nominee has the opportunity to say a few words (up to 3 minutes) on how he or she could best represent their county, and serve as a conduit for local citizen input concerning all natural resource issues at a local and statewide level.

3-YEAR
ELECTION BALLOT
3-YEAR
WISCONSIN CONSERVATION CONGRESS
I vote for the above named individual to serve a
three-year term on the WCC.

2-YEAR
ELECTION BALLOT
2-YEAR
WISCONSIN CONSERVATION CONGRESS
I vote for the above named individual to serve a
two-year term on the WCC.

As a county delegate you agree to represent the citizens of Wisconsin by working with the Natural Resources Board and the Department of Natural Resources to effectively manage Wisconsin's greatest asset, our abundant natural resources, for present and future generations to enjoy.

Citizens in attendance at the county congress meetings have the opportunity to vote on nominees. In order for the nominee to be elected they must receive a majority of the votes (at least 50% + 1) of eligible voters in attendance.

Delegate Eligibility

- Any citizen of the county who is able to represent the citizens of Wisconsin, and be a local avenue for citizen input and exchange concerning all natural resource issues through the WCC on a local and statewide level is eligible to be nominated and to run for election that evening.
- A delegate must be a Wisconsin resident.
- An elected delegate must be an adult (at least 18 years of age), and a resident of the county they wish to represent.

Note: To give the widest geographic representation, it is recommended that not more than three members of the county delegation be from the same civil town, city or village.

- Must be willing to volunteer their time and efforts by:
 - Attending 2 district meetings per year (*one in March and one in August*); assisting with the annual Spring Hearings in April; attending the annual convention in May and one or more advisory committee meetings in the fall of the year.
 - Working with local citizens and organizations on natural resource issues on a local basis, and participating in outreach and outdoor initiatives of local and statewide significance.
- To guard against possible conflict of interest or bias, no full or part-time employee(s) of the Department of Natural Resources or member of the Natural Resources Board shall be members of the WCC.

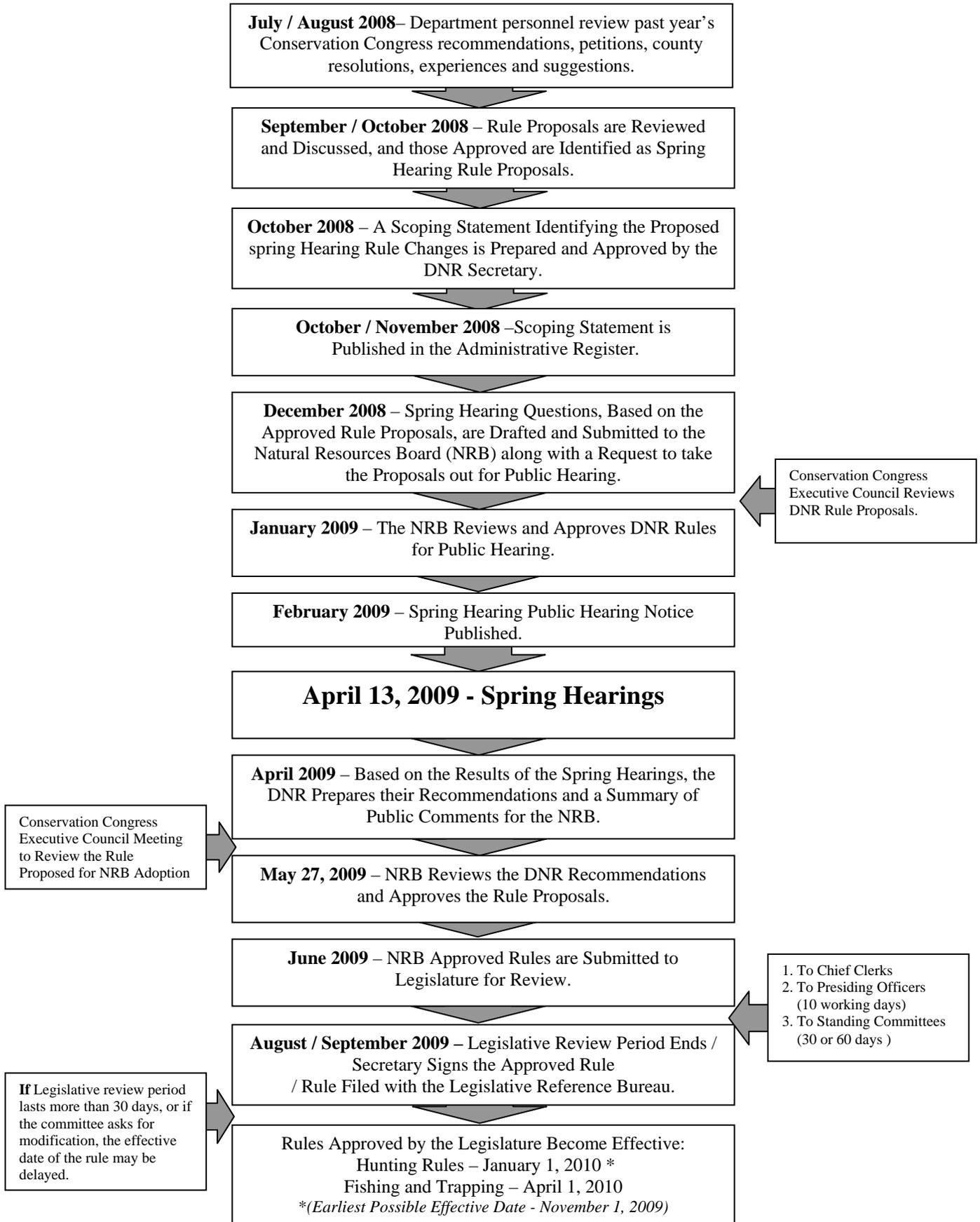
Note: The Conservation Congress is an equal opportunity organization, and welcomes participation from all individuals regardless of race, age, color, creed, religion, national origin, ancestry, sex, disability, sexual orientation, marital status, arrest, conviction, veteran status or political affiliation.

County Voter Eligibility

Individuals voting for county delegates shall be:

- Residents of the county in which they are voting
- At least 18 years of age
- In attendance at the annual WCC county meeting

Wildlife and Fisheries Administrative Rule Promulgation Timeline



PROPOSED STATEWIDE AND REGIONAL FISHERIES MANAGEMENT RULE CHANGES

(If approved, these proposed rule changes would take effect on April 1, 2009, unless otherwise indicated.)

QUESTIONS 1 & 2 – Background checks for angler education and learn-to-fish/ hunt/ trap programs

Under current law the Department’s Bureau of Law Enforcement is required to conduct a criminal history, character and background check on any applicant who wishes to become a volunteer ATV, boating, snowmobiling or hunter education instructor. Currently, the Department is only allowed to conduct criminal history, character and background checks of applicants seeking to serve as mentors or instructors for learn-to-hunt, fish or trapping programs to determine their suitability for the proposed activity upon receipt of specific information indicating prior illegal activity relevant to a mentor’s ability to properly assist or instruct novice participants.

This rule change proposal would allow the Department to conduct background checks (quick, routine computer searches for an applicant’s prior illegal activity) on all individuals that apply to serve as a Department-sponsored volunteer angler education instructor or a mentor as part of a Department-sponsored or approved learn-to-hunt program. If the Department finds information that is relevant to that person’s suitability to fulfill this role, the Department may also conduct a criminal history check, which is a more thorough investigation of a person’s suitability to be working with minors. These instructors primarily serve as instructors for youth. Similar to the hunter, boater, snowmobile, ATV and trapper education volunteer instructor programs, it is important that we make sure we are not providing the opportunity for any individual who is not allowed to associate with children or who has been convicted of an illegal act involving children, from having the opportunity to work with children during the angler education and learn-to-hunt programs conducted by DNR.

This proposal will also remove the condition that a mentor for fishing programs may not serve as a mentor for more than 3 anglers and clarify that the applicant, instructors and mentors need to possess a valid fishing license. Novice participants will continue to be exempted from a license. This proposal will also reduce the 30-day advanced notice for applications for fishing programs to 15 days. These final two provisions will simplify the process of arranging an aquatic education event.

In 2007, a Natural Resources Board advisory question on this issue was supported by a 3,091 to 275 margin.

If adopted, this proposal will take effect on the first day following publication in the Wisconsin Administrative Register.

Do you favor requiring background checks on individuals who wish to serve as department-sponsored volunteer angler education instructor or a mentor as part of a department-sponsored or approved learn-to-hunt program?

1. YES _____ NO _____

Do you support allowing an instructor of a fishing program to mentor more than 3 anglers, clarifying that instructors need a fishing license, and shorten the advanced notice requirement for a fishing program from 30 days to 15 days?

2. YES _____ NO _____

QUESTION 3 – Lake Winnebago walleye/ sauger bag limit- administrative correction

In 2008, a proposal to change the daily bag limit for sauger from 0 to 1 in Lake Winnebago was passed at the DNR Spring Rules Hearings and adopted by the Natural Resources Board. As worded in the 2008 Spring Hearings questionnaire, the bag limit was intended to be a “daily bag limit for walleye, sauger, and walleye/ sauger hybrids of 5 in total of which no more than 1 may be a sauger or walleye/sauger hybrid.” However, the words “in total” were not included in rules submitted to the Natural Resources Board and State legislature for adoption, so the current bag limit for walleye in Lake Winnebago is 5, plus 1 sauger/ walleye-sauger hybrid for a total bag limit of 6. This proposal would correct the regulation to read “5 walleye/ sauger/ walleye-sauger hybrids in total, of which only 1 may be a sauger or walleye-sauger hybrid.”

Do you favor correcting the walleye and sauger bag limit for Lake Winnebago to read “5 walleye/ sauger/ walleye-sauger hybrids in total, of which only 1 may be a sauger or walleye-sauger hybrid?”

3. YES _____ NO _____

QUESTION 4 – Minnows/ VHS rules correction

The rule proposes to correct an administrative error which was included in the recently adopted rules regarding minnow harvest and possession, as related to preventing the spread of Viral Hemorrhagic Septicemia (VHS). Currently Administrative Code states that “600 suckers in total” is the daily bag limit for an individual who is harvesting minnows by hook-and-line, minnow dip nets, seines, or minnow traps in waters which are not affected by VHS. However, the daily bag limit was intended to be “600 minnows total, including, but not restricted to, suckers.” The current wording inadvertently and unnecessarily restricts anglers.

If adopted, this proposal will take effect on the first day of the month following publication in the Wisconsin Administrative Register.

Do you favor a rule a change in the daily bag limit for minnows in non-VHS waters to “600 minnows in total, including, but not limited to, suckers” from the current “600 suckers in total, ” thereby correcting an administrative error which inadvertently restricts anglers?

4. YES _____ NO _____

QUESTION 5 – Clarifying rules related to use of remote controlled devices for fishing

The Department has received a number of inquires this past year about the legality of using a small remote controlled boat with a piece of line and hook attached for the purpose of catching fish in Wisconsin. These items are available at a number of discount and sporting goods stores. This rule clarifies legality of such devices. The Bureau of Law Enforcement has discussed the use of this type of device for fishing purposes with the Bureaus of Legal Services and Fisheries. The Department’s interpretation of the law is that these devices are not allowed for fishing under our "jug-fishing" rule in NR 20.06(10), if they are not tethered back to the boat, pier or shore where the person operating it is located.

A remote control device which is not tethered or connected with a line of which the angler has control does not comply with the jug fishing rule or its original intent. This rule change proposal is meant to clarify this with language that will more clearly state what NR 20.06(10) prohibits; that being that any line or device used for fishing must be under the control of the angler with a tethered line that allows for the immediate retrieval of the device and attached hook and line.

It may also be argued that this type of device may violate the unattended line prohibition in s. NR 10.08(9), Wis. Adm. Code, which states that the failure to immediately respond to a fish bite is prima facia evidence

that the line is unattended. Based on video we have viewed, depending on the size of the fish, a person operating this device may not be able to immediately respond in a reasonable manner. The manufacture advised that the "Fishing Buddy" remote controlled boat can only handle a fish of 2 pounds or less. If a bigger fish gets hooked, it cannot be controlled or retrieved by the power of the small remote controlled boat. This also shows that the device is not always under the control of the angler.

If adopted, this proposal will take effect on the first day of the month following publication in the Wisconsin Administrative Register.

Do you favor a rule clarifying language in Administrative Code that explicitly states that when an angler is using a small remote controlled boat or similar device with a piece of line and hook attached for the purpose of catching fish in Wisconsin, that boat or device must be tethered so that an angler may retrieve the device immediately?

5. YES _____ NO _____

QUESTION 6 – Eliminate barbless hooks restriction during early trout season

Numerous scientific studies have been conducted showing that the use of barbed versus barbless hooks has little effect on trout mortality following release. In a 1997 study published in the North American Journal of Fisheries Management, for flies and lures combined, the average hook related mortality was 4.5% for barbed hooks and 4.2% for barbless hooks. Because natural mortality for wild trout range from 30-65% annually, the 0.3% difference in the two hook types is irrelevant at the population level, even when fish are subjected to repeated catch and release. Most biologists agree that how deeply a fish is hooked has more to do with mortality than what type of hook is used. Despite the scientific evidence, anglers are required to use barbless hooks only during the early catch-and-release trout season. Elimination of that restriction would simplify trout fishing regulations and eliminate law enforcement issues.

The use of live bait will still be prohibited during the early catch-and-release trout fishing season.

If adopted, this proposal will take effect on the first day of the month following publication in the Wisconsin Administrative Register.

Do you support allowing the use of barbed hooks during the early catch-and-release trout season in Wisconsin?

6. YES _____ NO _____

QUESTION 7 – Crayfish harvest license requirements

The current Wisconsin fishing regulations pamphlet states that a fishing or small game license is required for individuals 16 years old or older to harvest crayfish. However, nothing in Administrative Code or State Statutes states what type of approval is required or authorized. By policy the Department has agreed to accept either a small game or a fishing license as a valid approval for taking crayfish because they are the licenses most related to the activities of harvesting these species. This is similar to what is also required for taking turtles, another aquatic animal. However, approximately 10 years ago when the Department clarified what the appropriate approval for turtles is by stating it in rule (NR 19), crayfish were not included.

If adopted, this proposal will take effect on the first day of the month following publication in the Wisconsin Administrative Register.

➤ Do you favor clarifying that a fishing or small game license is required and an appropriate approval for an individual 16 years old or older to harvest crayfish in Wisconsin?

7. YES _____ NO _____

QUESTIONS 8 & 9 – Provide clarification and consistency to the fishing rules which apply to sloughs, bayous and flowages connected to certain inland rivers

The Wisconsin River offers a unique continuous open season for game fish not found on most other inland waters. Fish size, bag limits and other rules related to methods of harvest on the Wisconsin River can also be significantly different than on other adjacent inland waters. Because current rules which establish fishing seasons and regulations on the waters of the Wisconsin River can be different than rules for other bodies of water in the adjacent counties, it can be difficult to determine what portion of a connected water (tributaries, etc.) the Wisconsin River seasons and rules apply. On the "Lower Wisconsin River" the fishing rules for the Wisconsin River include all sloughs, bayous, flowages and tributaries from their mouths upstream to the first highway bridge in Columbia, Sauk, Dane, Iowa, Richland, Grant and Crawford counties. However, in all other counties, the continuous open season on game fish also applies to "all sloughs, bayous and flowages connected to the Wisconsin River", and does not end at the first dam or highway bridge. The inclusion of all sloughs, bayous and flowages without a specific distance or boundary could be interpreted as including all streams, rivers and lakes connected to the waters of the upper Wisconsin River. This can make enforcement of closed seasons, bag and size limits on other inland waters difficult and makes it difficult for the public to know for sure which rules apply.

Similar unclear language (that is, "all sloughs, bayous, and flowages") is in Administrative Code regarding the boundaries of other large rivers in the State, specifically the Chippewa, East Fork of the Chippewa, Flambeau, North and South Forks of the Flambeau, LaCrosse, Lemonweir, and Yellow Rivers in Ashland, Juneau, LaCrosse, Monroe, Price, Rusk, and Sawyer counties.

Specifically, the Department is proposing to clarify that the Wisconsin River fishing rules will only apply to connected sloughs, bayous or flowages upstream to the first dam or highway bridge. In addition, this rule change will provide further clarification on where the Wisconsin River rules apply on portions of Lake Petenwell, in Adams and Juneau counties; Lake DuBay, Portage and Marathon counties; and on Lake Mohawksin and the Somo River, Lincoln County.

The eastern boundary of the Wisconsin River on Lake Petenwell in Adams County will be County Highway Z, and the western boundary of the Wisconsin River on Lake Petenwell in Juneau County will be County Highway G.

In Lincoln County, the boundary of the Wisconsin and Somo Rivers will be defined as the Tomahawk Railway Railroad bridge on the west side of lake Mohawksin, the boundary of the Wisconsin and Tomahawk Rivers will be defined as the Canadian National Railroad bridge nearest Baymill road, and the boundary of the Wisconsin and Spirit Rivers will be the confluence of the Spirit River with the Wisconsin River, one mile south of the Spirit River dam.

The eastern boundary of the Wisconsin River on Lake DuBay in Marathon and Portage counties will be defined as the South-Bound Lane of Interstate 39.

On all other waters that apply seasons or other rules to a river including all sloughs, bayous or flowages, the department is proposing to clarify that this means upstream to the first dam or highway bridge of any sloughs, bayous (including tributaries) or flowages.

Do you favor clarifying the boundary of the Wisconsin River to include only the portion of sloughs, bayous and flowages upstream to the first dam, highway bridge or other specific location for the purpose of designating fishing seasons, size and bag limits?

8. YES _____ NO _____

Do you favor clarifying that the boundaries of the: Chippewa, East Fork of the Chippewa, Flambeau, North and South Forks of the Flambeau, LaCrosse, Lemonweir, and Yellow rivers in Adams, Ashland, Juneau, LaCrosse, Lincoln, Portage, Marathon, Monroe, Oneida, Price, Rusk, Sawyer and Wood counties extend to connected sloughs, bayous and flowages upstream to the dam, highway bridge or other specified location for the purpose of designating open seasons, size and bag limits?

9. YES _____ NO _____

QUESTION 10 – Mussel harvest in the St. Croix National Scenic Riverway and commercial mussel harvest in the St. Louis River

Freshwater mussels are among Wisconsin's most imperiled and vulnerable animals. Most mussel populations, particularly state- and federally-listed threatened and endangered species, cannot support live harvest and still maintain self-supporting populations. Identification of threatened and endangered species is often difficult and misidentification is very likely by the general public. Mussel harvest is closed in inland waters of the state but remains open in some boundary waters.

The Department proposes to prohibit collection of live mussels and dead shell from the St. Croix River National Scenic Riverway. Mussel harvest regulations are currently inconsistent between regulatory agencies on the St. Croix River. National Park Service rules do not allow any harvest of mussels, live or dead, within the St. Croix National Scenic Riverway. Where the St. Croix River forms the boundary between Wisconsin and Minnesota, Minnesota does not allow any live harvest of mussels or collection of dead shells in the river. Wisconsin currently allows non-commercial harvest of 50 pounds of live mussels daily on border waters with Minnesota by hand picking. Wisconsin regulations also allow the collection of unlimited quantities of dead shell, except endangered or threatened species, from these border waters. This proposal will make rules between the three jurisdictions consistent. Having consistent regulations of no live harvest or collection of dead shell for all regulatory agencies on the St. Croix River would also make enforcement of harvest rules clear and consistent.

This rule further proposes to eliminate commercial mussel harvest in the St. Croix River where it forms the boundary between Wisconsin and Minnesota (the activity is already prohibited by National Park Service rules), and in the St. Louis River where it forms the boundary between Wisconsin and Minnesota. This will complete closure of all potential commercial mussel harvest in Wisconsin. There are no active commercial clammers in any of the waters affected by this rule.

If adopted, this proposal will take effect on the first day of the month following publication in the Wisconsin Administrative Register.

Do you favor changing the Wisconsin mussel harvest regulations for the St. Croix National Scenic Riverway where it forms the boundary between Wisconsin and Minnesota from the current 50 pounds of live mussels per day by licensed anglers to no live harvest and no collection of dead shells, and to prohibit commercial mussel harvest from those waters, and to prohibit collection of dead shell from inland portions of the Riverway, and to prohibit commercial mussel harvest from the St. Louis River where it forms the boundary between Wisconsin and Minnesota?

10. YES _____ NO _____

QUESTIONS 11, 12, & 13 – Smelt-induced walleye population crashes

Illegal introductions of rainbow smelt into inland waters of Northern Wisconsin have caused loss of walleye recruitment in these lakes. Prior to the introduction of rainbow smelt these lakes had healthy naturally recruiting walleye populations. The possible mechanisms for this negative interaction include predation on juvenile walleye by smelt or indirectly through competition for limited food resources. Rainbow smelt are a non-native, invasive species that are present in lakes Superior and Michigan.

The Department of Natural Resources has initiated costly stocking programs in these waters in an attempt to re-establish these walleye fisheries. It is hoped that given enough protection from harvest we can build up walleye numbers to point where they will control rainbow smelt numbers and we may again see natural walleye recruitment. Recent research shows that a combination of an 18-inch minimum size limit and stocking can substantially decrease smelt numbers in a lake.

The following questions are rule proposals designed to increase survival and reproduction of walleye in three lakes which have been infested by smelt, with the intent of restoring healthy, naturally reproducing walleye populations in these waters.

QUESTION 11 – Beaver Dam Lake (Barron County) walleye regulations

Beaver Dam Lake was surveyed in 2006-2007. The 2006 adult walleye population estimate on Beaver Dam Lake was only 0.7 fish per acre. Walleye natural reproduction and recruitment has been very poor since the illegal introduction of rainbow smelt around 1980. Rainbow smelt have been shown to negatively impact walleye natural reproduction and recruitment through predation on early life stages of walleye.

A comprehensive management plan has been generated for Beaver Dam Lake in cooperation and support of the Beaver Dam Lake District. This plan includes reducing smelt abundance and improving walleye densities. Several components of this plan have already been implemented such as stocking trout to predate on smelt and opening the water to smelt dip netting. The last two components of this plan are in the process of being implemented. These are to stock large fingerling walleye and minimize angler harvest of small walleye to increase the adult population.

Most female walleye do not mature until they are 16-18 inches in Beaver Dam Lake. The existing 15-inch minimum length limit does not offer any protection of female walleye which are critical if natural reproduction is to occur in significant numbers again in the future.

Considering this at the 2007 annual meeting of the Beaver Dam Lake District, members were asked if they would support an 18-inch length limit for walleye in Beaver Dam Lake. The membership unanimously supported this proposal. The 18-inch minimum length limit will likely increase the adult population from 0.7 to 2.0 adult fish per acre. In addition, it will allow female walleye to spawn at least once before having a chance of being harvested. This regulation will increase walleye catch rates and maintain walleye harvest rates in the long-term and still provide ample angling opportunities for walleye anglers.

Therefore, in an effort to reduce angler harvest of small walleye, allow female walleye the chance to spawn once before being subjected to potential angler harvest and to increase the adult walleye population to 2.0 fish per acre the Department recommends the following action:

Do you favor increasing the minimum length limit from 15 inches to 18 inches and reducing the daily bag limit from 5 five to 3 in total for walleye on Beaver Dam Lake in Barron County?

11. YES _____ NO _____

QUESTION 12 – Long Lake (Vilas County) walleye regulations

The current 15-inch minimum size limit and 5 fish daily bag limit is not adequate to protect walleye stocked as part of a planned 10 year effort by the WDNR to rehabilitate the walleye population in Long Lake. It is recommended that the walleye regulation on this lake be changed to an 18 inch minimum size limit and 3 fish daily bag limit. This regulation should improve walleye catch rates and increase the number of adult walleye present, thereby providing additional angler opportunity, protecting female walleye for an additional two to three spawning seasons, and hopefully re-establish natural walleye recruitment. Increasing numbers of walleye may also help control abundant numbers of rainbow smelt that are responsible for the decline in this important walleye fishery.

Do you favor increasing the minimum length limit from 15 inches to 18 inches and reducing the daily bag limit from 5 to 3 in total for walleye on Long Lake in Vilas County?

12. YES _____ NO _____

QUESTION 13 – Dead Pike Lake (Vilas County) walleye regulations

The current 15-inch minimum size limit and 5 fish daily bag limit is not adequate to protect walleye stocked as part of a planned 10 year effort by the WDNR to rehabilitate the walleye population in Dead Pike Lake. It is recommended that the walleye regulation on this lake be changed to an 18 inch minimum size limit and 3 fish daily bag limit. This regulation should improve walleye catch rates, increase numbers of adults present providing additional angler opportunity, protect female walleye for an additional two to three spawning seasons, and hopefully reestablish natural walleye recruitment. Increasing numbers of walleye may also help control abundant numbers of rainbow smelt that are responsible for the decline in this important walleye fishery.

Do you favor increasing the minimum length limit from 15 inches to 18 inches and reducing the daily bag limit from 5 five to 3 in total for walleye on Dead Pike Lake in Vilas County?

13. YES _____ NO _____

PROPOSED LOCAL FISHERIES RULE CHANGES: ASHLAND & IRON COUNTIES

QUESTION 14 – Walleye Length Limits on Upper Clam (Ashland), Bearskull, Owl, Fisher, and Upper and Lower Springstead (Iron) Lakes in Ashland and Iron Counties

In 1997 a new regulation took effect on 23 waters in Iron and Ashland counties that restricted walleye harvest to one fish over 14 inches long in the daily bag of 5. It was expected that with adequate survival of naturally produced or stocked fish, 30-50% of all walleye 10 inches and longer in early spring surveys would be 15 inches or longer, assuming good angler compliance.

Biologists have evaluated the impact of this regulation and determined that the objective is being met on most of the 23 Ashland and Iron county waters where it was applied. But on four lakes (Bearskull, Owl, Fisher (Iron Co.) and Upper Clam (Ashland Co.), low survival of naturally produced or stocked fish and unsustainably high harvest of legal-size walleye shorter than 14 inches have resulted in walleye population characteristics that fail to meet our stated objectives. The walleye populations in these four lakes have declined and are now dominated by relatively few large adult fish. On two other lakes (Upper and Lower Springstead, Iron Co.), loss of public access has resulted in the Department's inability to enforce or evaluate special regulations.

Upper and Lower Springstead lakes have consistently exhibited some of the highest walleye reproduction in Iron County (fall age-0+ electrofishing CPE ranging from 90 to 100 fish per hour). There is no publicly owned access on these waters, but until recently we have been able to provide fishery management services because of a private easement that provided boat access to the public. The Department's services have since been discontinued due to loss of easement for access.

Spring electrofishing surveys comparing walleye size distribution two and ten years after the one-over-14 regulation was implemented reveal little change in size structure during the evaluation period (Figure 6). Information is insufficient to explain why size structure did not improve, but angler non-compliance (harvesting too many fish over 14 inches long) due to limited law enforcement on lakes with restricted access is the suspected cause.

Biologists are now proposing to manage these six walleye populations more appropriately by restoring the standard statewide 15-inch minimum length limit, which is the more biologically sound option on all of these lakes and the more enforceable option on at least two of them.

Do you favor changing the one-over-14 regulation to the statewide minimum length limit of 15 inches for walleye on Upper Clam Lake in Ashland County and Bearskull, Owl, Fisher, and Upper and Lower Springstead lakes in Iron County?

14. YES _____ NO _____

PROPOSED LOCAL FISHERIES RULE CHANGES: BARRON COUNTY

Please see questions 11-13 regarding smelt-induced problems in walleye lakes.

PROPOSED LOCAL FISHERIES RULE CHANGES: BAYFIELD COUNTY

QUESTION 15 – Bayfield County trout lakes

Nymphia, Overby, Beaver and Little Star lakes are located within the Chequamegon National Forest in Bayfield County. All of the lakes have historically been managed as trout lakes. In the late 1970s and early 1980s the management of these lakes shifted to having the lakes open for fishing in alternate years. The reason behind this change was to provide a quality trout fishing opportunity for anglers. Initially the change appeared to work, stocked trout were surviving an entire year in the lakes and were available for anglers to catch the following year when the season was open at average sizes of 13 inches. However, in recent years the DNR has received complaints about lack of trout on these waters. A creel survey was initiated in 2007 and continued in 2008. The results of the creel surveys indicate that the trout are no longer surviving an entire year so that they can be caught by anglers the following year. The reasons for this lack of survival remain unclear.

The management objectives of providing a trout angling opportunity in these lakes were not being met by the current regulation and stocking regiment. It is recommended that these waterbodies be open to fishing annually and stocked annually to accomplish the goal of providing this unique trout angling opportunity.

Balsam Lake in Bayfield County is also located in the Chequamegon Nation Forest and is no longer accessible to stock with trout. The last time Balsam Lake was stocked was in 1998. Therefore the Department is recommending removing Balsam Lake from the list of special trout regulations in Administrative Code and from the trout regulation pamphlet so that anglers are aware of the change in management.

Do you support changing the trout fishing regulations from alternate year open fishing season to an annual open fishing season for four managed trout lakes (Nymphia, Overby, Little Star and Beaver lakes) in Bayfield County?

15. YES _____ NO _____

PROPOSED LOCAL FISHERIES RULE CHANGES: BURNETT COUNTY

QUESTION 16 – Twenty-six Lake bass regulation change

Twenty-Six Lake is a 230-acre, infertile, spring-fed lake in northern Burnett County. Largemouth bass are very abundant, but growth is so poor that few reach the 14-inch minimum harvest restriction. Bluegill growth and size quality is also poor with only 2% of the population \geq 7 inches. Other sport species except musky are rare leaving little opportunity to harvest anything for the table. The proposal is primarily intended to provide harvest opportunity for anglers, but through a reduction in abundance the proposal is also hoped to improve largemouth bass size structure to a point where 25% of the population of fish will be larger than 12 inches.

Do you favor a no minimum size, 5 fish daily bag limit for bass on Twenty-Six Lake?

16. YES _____ NO _____

PROPOSED LOCAL FISHERIES RULE CHANGES: DOUGLAS COUNTY

QUESTION 17 – Anderson Lake trout regulations

Anderson Lake is a managed trout lake in Douglas County. In an attempt to provide an additional winter trout angling opportunity it is proposed that the fishing season ending date be extended from September 30 to the first Sunday in March. The trout population is maintained by stocking, and no natural reproduction occurs. This proposal would extend the fishing season on Anderson Lake from September 30 to the first Sunday in March to provide for an additional winter trout angling opportunity similar to that which may be found on Wanoka and Perch Lakes located nearby?

Do you favor extending the end of the open season for trout in Anderson Lake from September 30 to the first Sunday in March?

17. YES _____ NO _____

PROPOSED LOCAL FISHERIES RULE CHANGES: IRON COUNTY

Please see question 14 regarding walleye regulation changes in six Ashland and Iron county lakes.

PROPOSED LOCAL FISHERIES RULE CHANGES: MANITOWOC COUNTY

QUESTION 18 – Silver Lake northern pike regulations

The management objective of this proposed regulation is to increase the density of adult northern pike by reducing harvest. Increased northern pike density in the lake should lead to increased reproduction resulting in establishment of a self sustaining population that will help maintain a desirable fish population in Silver Lake.

Silver Lake is located in east central Wisconsin, near the City of Manitowoc. It is a 69-acre lake that lies in a zone of glacial outwash with a maximum depth of 43 feet and a mean depth of 16 feet. Historically, water quality in Silver Lake was considered to be poor and the fish community was dominated by carp and bullhead. To address the undesirable fishery and the poor water quality of the lake, a complete lake restoration project was undertaken. In late 2001 construction of a berm began to isolate the lake from Silver Creek to prevent carp from entering the lake. Following the completion of the berm, the lake was treated with rotenone to eradicate the fish population (fall 2003), treated with alum to reduce the phosphorus level of lake water (spring 2004) and was restocked with a desirable mix of fish species (beginning in 2004).

The goals of the Silver Lake Restoration Project are to develop and maintain a fish community that is self-sustaining, that exhibits a quality size distribution and one that protects the water quality of the lake through bio-manipulation of the aquatic community by maintaining a high level of predator abundance. It was recommended that greater minimum size limits and reduced bag limits be placed on most species of fish that were reintroduced into the lake following the rotenone and alum treatments. Current regulations include an 18-inch minimum size limit and a 1 bag limit for largemouth bass, 18-inch minimum, 3 bag limit for walleye and a 10 fish per day bag limit for panfish. Northern pike regulations were set at the default 26-inch minimum size and 2 fish daily bag limit.

During the past several winters local citizens have been concerned that too many northern pike have been harvested from the lake during the ice fishing season. Most are concerned that this harvest is hurting the pike population because these fish are being harvested after only spawning once. Others are concerned

because that with the reduction in pike numbers, the overall abundance of predators in the lake is not what it should be to protect the lake from any incidental reintroduction of carp as was the case in 2008 when high creek flows allowed carp to access Silver Lake. Fall electrofishing data indicates that natural reproduction of northern pike has been limited and the catch rate for adult northern pike has been decreasing. Therefore the Department proposes to further protect northern pike by increasing the minimum size restriction.

Do you favor changing the northern pike size and bag limit on Silver Lake, Manitowoc County from a 26-inch minimum size limit with a 2 fish per daily bag to a 32-inch minimum size limit with a daily bag limit of 1 fish?

18. YES _____ NO _____

PROPOSED LOCAL FISHERIES RULE CHANGES: ONEIDA COUNTY

QUESTION 19 – Burrows lake bass regulations

Under the current 14-inch minimum length limit, bass recruitment and early growth in Burrows Lake is suppressed by overabundant, stunted bluegill. The best remedy for overabundant bluegill is increased predation by bass, but bass numbers are low with poor size. An 18-inch minimum length limit will protect spawners and improve bass size and numbers, resulting in increased predation on stunted bluegill.

Burrows Lake is managed with largemouth bass as the dominant predator, along with lower numbers of northern pike. Muskellunge have been stocked since 2003 by Musky Clubs Alliance of Wisconsin, Inc. Increases in gamefish (especially bass) abundance and size structure are desired for increased predation pressure on stunted bluegill.

Management goals are to increase largemouth bass abundance and size structure. Specific objectives for bass are to achieve a moderate-density population of at least 3 adult bass per acre, with fall catch rates of about 10 adult bass per mile shocked. Population size structure should be good quality, with 35% of the adult population 14 inches or longer.

Do you favor increasing the minimum length limit from 14 inches to 18 inches and reducing the daily bag limit from 5 to 1 in total for bass on Burrows Lake, Oneida County?

19. YES _____ NO _____

QUESTION 20 – Wisconsin River walleye regulation—administrative correction

An error was detected in Wisconsin Administrative Code which improperly lists walleye harvest regulations as “no minimum” rather than the 15 inch minimum which was adopted in 1994 for the Wisconsin River downstream from St. Regis Dam in Rhinelander to the Oneida-Lincoln County line. Rules for walleye harvest in Lincoln County are printed correctly.

This proposal will take effect on the first day of the month following publication in the Wisconsin Administrative Register.

Do you favor correcting walleye regulations in Wisconsin Administrative Code to a 15-inch minimum length limit for the Wisconsin River, downstream from the St. Regis Dam in Rhinelander to the Oneida-Lincoln County line? Rules for walleye harvest in Lincoln County are printed correctly.

20. YES _____ NO _____

PROPOSED LOCAL FISHERIES RULES CHANGES: POLK COUNTY

QUESTION 21 – Big Round Lake walleye regulations

Big Round Lake was surveyed in 2007. The 2007 adult walleye population was only 1.4 fish per acre. This is 62% lower when compared to surveys in 1989 and 1997 when 3.7 adult walleye per acre were present. The size structure of walleye in 2007 was also poorer. Only 7% of the walleye were larger than 20 inches. In comparison, in 1989, 52% of the walleye were larger than 20 inches.

A comprehensive management plan has been generated for Big Round Lake in cooperation and support of the Big Round Lake District. This plan includes improving walleye densities by stocking large fingerling walleye and increasing the walleye minimum length limit from 15 to 18 inches. Large fingerling walleye have been shown to survive better than small fingerling walleye in local waters and walleye recruitment is expected to increase because of this effort. However, the cost of stocking large fingerling walleye is very expensive and considering the decline of larger fish in Big Round Lake it was determined that an 18 inch length limit would be best to allow the fishery to recover. In addition, most female walleye do not mature until they are 16-18 inches in Big Round Lake and the existing 15 inch minimum length limit does not offer any protection of female walleye which are important if natural reproduction is to occur again in the future.

The proposal intends to: Increase adult walleye abundance to 2.0 adult fish/acre by 2018, eliminate angler harvest of 15-18 inch walleye, and allow female walleye the chance to spawn once before having a chance of being harvested by anglers, thereby increasing the success of natural reproduction.

Therefore, in an effort to reduce angler harvest of small walleye, improve the adult population to historic levels and to increase the size structure of 20-inch plus walleye do you support the following regulation?

Do you favor an 18-inch minimum length limit with a daily bag limit of 3 for walleye in Big Round Lake?

21. YES _____ NO _____

PROPOSED LOCAL FISHERIES RULE CHANGES: SAUK COUNTY

QUESTION 22 – Manley Creek trout regulations

Manley Creek is a moderate size native brook trout in east central Sauk County. Native brook trout streams are not common in southern Wisconsin. Brook trout streams which provide quality size fish are rare. Prior to 1997 it supported few brook trout because of its wide, shallow habitat. It was lightly fished due to the dense, tag alder choked stream banks. Habitat improvement work from 1997-2002 has enhanced fishability and increased the number of the 4- to 8-inch size group of native brook trout of Manley Creek to extreme levels, 1,800 per mile. Today, the abundant brook trout are easily caught but not harvested because of the existing 9-inch minimum size limit. Anglers are unable to catch larger size fish due to both the high abundance of 4- to 8-inch fish and limited number of 9-inch plus trout.

Reduction of the dense, small size brook trout will create living space and food to allow, the density of larger size trout to increase from 20-60/mile (annual variability) to at least 120/mile, noted elsewhere in a stocked, but lightly fished, similar brook trout stream which has a lower density of 4- to 8-inch brook trout (350/mile). The 9-inch maximum size limit will allow harvest of the overabundant smaller size brook trout and provide an opportunity for anglers to catch and release larger size fish, which will be protected from harvest. It is expected brook trout up to 15-inch can be produced. The proposed rule will have a 10-year sunset, after which time it will revert back to the standard county rule of 9-inch minimum size, 3 fish daily bag limit, if positive results are not demonstrated. No bait restrictions will apply.

Do you favor changing the 9-inch minimum size limit, 3 fish daily bag limit to a 9-inch maximum size limit with a 5 fish daily bag limit on Manley Creek, for a period of 10 years to allow evaluation?

22. YES _____ NO _____

PROPOSED LOCAL FISHERIES RULE CHANGES: VILAS COUNTY

Also see questions 11-13 regarding smelt-induced problems in walleye lakes.

QUESTION 23 – Big Sand Lake and Long Lakes muskellunge regulations

The current 34-inch minimum size limit is not adequate to produce a trophy muskellunge fishery. These lakes have the potential to produce trophy muskellunge. Many muskellunge anglers (62% in a 1999 survey) feel that a muskellunge should be at least 50 inches to be considered a trophy. It is recommended that the muskellunge regulation on these lakes be changed to a 50 inch minimum length limit. This regulation should improve muskellunge catch rates, increase numbers of adults, and provide an opportunity to catch fish 50 inches and longer. These regulation proposals passed as resolutions introduced from the floor at the annual Conservation Congress spring rules hearing in Vilas County in 2008. The Long Lake of Phelps Lake District and Big Sand Lake Association both support this regulation change. Both lakes should have the same regulation since they are connected and fish and anglers can move readily between the two. The goal of this proposal is to increase the percentage of musky larger than 45 inches in the population to 10% by 2018, and have at least 3% of musky in the population larger than 50 inches.

Do you favor increasing the minimum length limit from 34 inches to 50 inches for muskellunge on Big Sand and Long Lakes in Vilas County?

23. YES _____ NO _____

QUESTION 24 – Kentuck Lake muskellunge regulation

The current 40-inch minimum size restriction has been in effect on Kentuck Lake since 1993 and has not produced significant numbers of fish longer than 45 inches in length. This lake has the potential to grow trophy muskellunge if given additional protection from harvest. It is recommended that the muskellunge regulation on this lake be changed to a 50-inch minimum length limit. This regulation should improve muskellunge catch rates, increase numbers of adults, and provide an opportunity to catch fish 50 inches and longer. This regulation passed as a resolution introduced from the floor at the annual Conservation Congress rules hearing in Vilas County in 2008. The goal of this proposal is to increase the percentage of musky larger than 45 inches in the population to 10% by 2018, and have at least 3% of musky in the population larger than 50 inches.

Do you favor increasing the minimum length limit from 40 inches to 50 inches for muskellunge on Kentuck Lake in Vilas County?

24. YES _____ NO _____

QUESTION 25 – White Sand Lake (T42N R7E Sec 27) walleye regulation

Due to low natural recruitment and harvest of smaller walleye the current 14- to 18-inch protected slot size limit is not adequate to protect smaller walleye. It is recommended that the walleye regulation on this lake be changed to an 18-inch minimum and 3 fish bag limit. This regulation should improve walleye catch rates, increase numbers of adults present providing additional angler opportunity, protect female walleye for an additional two to three spawning seasons, and hopefully increase natural walleye recruitment.

Do you favor removing the 14- to 18-inch protected slot and setting the minimum length limit at 18 inches in total length and keeping the daily bag limit of 3 fish in total for walleye on White Sand Lake (T42N R7E Sec 27) in Vilas County?

25. YES _____ NO _____

QUESTION 26 – Twin Lakes Chain walleye regulations

The Twin Lake Chain (North and South Twin lakes) has strong natural walleye recruitment and a more liberal regulation is needed to promote harvest of smaller walleye, improve growth rates, and increase the numbers of larger fish. The current 15-inch minimum size limit and 5 fish bag limit has not provided this and a 2007 survey found that 91% of the adult population was less than 15 inches in length. It is recommended that the walleye regulation on this chain be changed to a no minimum size limit, but fish 14 to 18 inches in total length may not be kept, and only one fish over 18 inches is allowed with a 3 fish bag limit. This regulation should improve walleye harvest rates, increase the numbers of larger adult fish present, provide additional angler opportunity, and protect female walleye for two to three spawning seasons.

Do you favor removing the minimum length limit of 15 inches and replacing it with no minimum size limit, but fish 14 to 18 inches in total length may not be kept, and only one fish over 18 inches is allowed and reducing the daily bag limit from 5 to 3 in total for walleye on North and South Twin lakes in Vilas County?

26. YES _____ NO _____

PROPOSED LOCAL FISHERIES RULE CHANGES: WASHINGTON & WAUKESHA COUNTIES

QUESTION 27 – Urban pond proposals

The Department proposes to add Regner (Washington County) and Foxbrook (Waukesha County) ponds to the state's urban fishing program, in which there would be a continuous open season but only persons under 16 years of age or disabled may fish (pursuant to s 29.193 (3) (a), (b) or (c), Stats.) from the second Saturday in March to but not including the last Saturday in April, and in which persons may possess 1 largemouth bass, smallmouth bass, northern pike, walleye, sauger or hybrid in total; 10 panfish and bullheads in total; 3 trout and salmon in total, and an unlimited number of rough fish.

Do you support adding Regner (Washington) and Foxbrook (Waukesha) ponds to the state's urban fishing program?

27. YES _____ NO _____

PROPOSED LOCAL FISHERIES RULE CHANGES WAUKESHA COUNTY

Please see question 27 regarding urban fishing ponds in Washington and Waukesha Counties.

PROPOSED STATEWIDE WILDLIFE MANAGEMENT RULE CHANGE

QUESTION 28 – Clarify the definition of “open water hunting” for waterfowl (2009)

While hunting on the water, waterfowl hunting boats and blinds must be partially concealed by emergent vegetation which does not include dead trees or stumps. Conservation wardens have interpreted “partial concealment” to mean 50% concealment.

In recent years some hunters have challenged the 50% standard, hunting beyond a growth of emergent vegetation that offers reasonable concealment. This activity reduces opportunities for hunters who remain near shore and reduces open water resting areas that hold birds in an area during the hunting season. Conservation wardens would like to level the playing field and clarify what is required by defining partial concealment as meaning that:

- the minimum amount of concealment that must be provided by natural vegetation must be 50 % when viewed from at least one direction at a height of 3 feet,
- the vegetation must extend above the water’s surface to a height at or above the sides of the boat or blind, and
- the boat or blind must be within 3 feet of the vegetation providing the concealment.

Do you favor requiring at least 50% concealment of the boat and hunter, when viewed from at least one direction from a height of 3 feet, and allowing a hunter’s boat or blind to be up to 3 feet away from or beyond the vegetation, as the standard for Wisconsin’s open-water hunting rule?

28. YES _____ NO _____

QUESTION 29 – Extend the fall turkey season (2009)

The fall turkey season currently begins on the Saturday nearest September 15 and continues through the Thursday prior to the beginning of the 9-day November Deer Gun Season (In 2008, September 13 – November 20). With a healthy and well established turkey population across the state, more hunting opportunity could be provided to fall turkey hunters by extending the season into December, after the completion of the 9-day deer gun season.

Biologists have indicated that they do not anticipate negative impacts to the turkey population with a further extension of the season. However, outside of prime turkey habitat, at the northern extent of the turkey’s range, cold and deep snow may provide hunters with an advantage. Therefore, providing a season extension in southern Wisconsin, during a two year trial, may provide the state with enough data to determine if a season extension is a workable and biologically sound option.

Do you support extending the turkey season to include the Monday following the 9-day gun deer season through December 31 in turkey management zones 1 – 5 for two years (Zones 6 and 7 would be excluded)?

29. YES _____ NO _____

QUESTION 30 – Registration of wild turkeys (2011)

Harvested wild turkeys must currently be registered in person at a department registration station. The department is researching whether less expensive registration methods that would be more convenient for hunters can be utilized. Telephone registration, similar to that which is in place for Canada geese, is one option. On-line technology may also be possible. New registration methods would be implemented no earlier than spring 2011.

Do you favor allowing wild turkeys to be registered by other department approved methods?

30. YES _____ NO _____

QUESTION 31 & 32 – Modify the bobcat hunting and trapping seasons (2010)

The bobcat season currently runs from the third Saturday in October to December 31 for hunters and trappers. Ideal conditions for hunting with hounds occur when there is snow cover but these conditions do not occur before the end of season every year. In order to provide the type of hunting opportunity that hunters have asked for, but still maintain opportunities that other bobcat harvesters have enjoyed, this proposal would add an additional month, create two time periods, and establish harvest reporting requirements.

Under this proposal harvest tags would be split between an early time period which runs from the Saturday nearest October 17 to December 25 and a late time period which would run from December 26 to January 31. Hunting and trapping would be legal during both periods but permits would be season specific.

Because harvest success may increase with more days of good hunting conditions, an emergency closure provision would help prevent overharvest. Hunters and trappers would be required to report their harvest within 24 hours by telephone or other approved methods, such as online. When it is apparent based on reported harvest that the quota will be reached for a time period, the DNR would publish a Secretary's Order and issue news releases closing that time period after a 48 hour grace period.

Initially the department will issue harvest permits based upon the current permit allotment system. Permit levels will be adjusted in the future as more is learned about harvest under the new season structure or as the bobcat population changes.

This proposal also would allow the use of cable restraints during both of the proposed new bobcat time periods. A cable restraint is a device used for restraining furbearers without injuring them which consists of a non-spring activated galvanized aircraft cable which includes a relaxing mechanical lock, stops, and swivel. Cable restraints have been legal for use by the public for the January and February portions of the fox and coyote season for four years and in December for bobcat, coyote and fox for one year. Under current rules the use of cable restraints for bobcat in December will sunset after the 2009 season. Extensive testing of this device has proven that it is effective, humane, and very species specific.

Do you favor creating two bobcat permit periods (third Sat. in Oct – Dec. 25 and Dec. 26 – Jan. 31), limiting hunters and trappers to one period, and requiring 24 hour harvest reporting to monitor progress toward the bobcat harvest quota?

31. YES _____ NO _____

Do you favor allowing the use of cable restraints during all of the proposed new bobcat season structure (third Sat. in Oct – Dec. 25 and Dec. 26 – Jan. 31)?

32. YES _____ NO _____

QUESTION 33 – Clarify the definition of legal firearm types for hunting (2010)

Currently, legal firearms for hunting include airguns, handguns and guns that are, "discharged from the shoulder". In certain situations, it is possible that technology such as an electromagnetic device or other unanticipated type of technology could be legal for hunting without evaluation by the department, Conservation Congress, or through any public process.

Adding the requirement that legal firearm types use compressed air or gunpowder would limit hunters to currently traditional firearm types. Public involvement would be required before new technologies could be used in the place of firearms by hunters.

Do you favor requiring that legal firearm types include compressed air or gunpowder as part of their design and function?

33. YES _____ NO _____

QUESTION 34 – Issuance of left-over turkey hunting permits (2009)

Rules currently require the department to issue leftover turkey permits that were not awarded in the drawing on a first-come, first-served basis. The department currently issues these permits over-the-counter at license vendors statewide and intends to continue doing so.

If license system equipment failure or other unforeseen problems prevent over-the-counter issuance, current rules do not provide the flexibility to issue permits by another method. This proposal would eliminate the first-come-first-served requirement so that, in an emergency, permits could still be issued by another means such as through a second drawing.

Do you favor removing the first-come, first-served requirement so that in an emergency the department has the flexibility to issue permits by another method?

34. YES _____ NO _____

QUESTION 35 & 36 – Turkey hunting by disabled permit holders (2009)

Electronic calls are currently prohibited in all turkey hunting situations. Hunters who have physical limitations that make it difficult to operate a turkey call *and* gun or even use a call are especially challenged while turkey hunting. Allowing the use of electronic calls may increase the ability of some people to participate in the turkey hunt with less assistance than is currently required. Under this proposal a disabled hunter or their assistant could use an electronic call but only the disabled permit holder would be able to kill a turkey.

Class A and C disabled hunting permit holders are able to hunt turkeys during gun deer and turkey hunts for people with disabilities on state lands and private properties. People who possess long-term Class B disabled hunting permits that authorize hunting from a vehicle are also allowed to participate in the gun deer hunts but not the special turkey hunts for people with disabilities. This proposal would make the rules for these special deer and turkey hunts consistent.

Do you favor allowing the use of electronic calls for turkey hunting by Class A disabled permit holders and Class B permit holders with permits that authorize hunting from a vehicle and are issued for more than one year?

35. YES _____ NO _____

Do you favor allowing Class B disabled permit holders with permits that authorize hunting from a vehicle and which are issued for more then one year to participate in turkey hunts for people with disabilities?

36. YES _____ NO _____

QUESTION 37 – Require the registration of harvested sharp-tailed grouse (2010)

Currently, sharp-tailed grouse hunters voluntarily report their harvest by mailing a harvest registration stub to the department. This proposal would require the registration of harvested sharp-tailed grouse. Registration is likely to be done by mail with an option to register on-line if desired.

Sharp-tailed grouse hunter surveys in 2006 and 2007 have shown that harvest reporting is incomplete under the voluntary system. Sharp-tailed grouse annual harvest quotas are, in part, based on total harvest in the previous year. Accurate harvest data is critical for developing an annual harvest framework for this species. In 2008, 376 hunters drew harvest permits and 40 birds were reported as harvested.

Do you favor making the registration of sharp-tailed grouse harvest mandatory?

37. YES _____ NO _____

QUESTIONS 38, 39, 40 & 41 – Special waterfowl hunting regulations at Mead Wildlife Management Area, Wood, Marathon, and Portage Counties (2010)

The 33,000 acre Mead Wildlife Area, located in central Wisconsin, is a premier waterfowl hunting destination of statewide significance. The property is located just north of the border between the north and south duck zones and receives significant hunting pressure on the opening of the north zone season. Hunting pressure has become so heavy that many hunters believe it has sharply reduced the quality of the hunt early in the season and the ability of the area to hold migrating waterfowl.

Working with local waterfowl hunters, a number of proposals have been developed which are designed to improve the quality of the hunt by holding more ducks in the area for a longer period of time. One method of prolonging the period of time that ducks are available is to close waterfowl hunting hours at 1:00 p.m. daily for the first 16 days of the season following the opening weekend. Similar regulations in Missouri have been shown to provide good hunting across an entire property rather than just near refuges, hold ducks in an area for a longer period of time, and provide excellent shooting opportunities at the opening of shooting hours and again before the 1:00 p.m. closure. This regulation would be in place during the early part of the season when hunting pressure is heaviest. This provision would automatically sunset after three years. If hunters decide that this regulation has worked then new rulemaking and additional hearings would be needed for reauthorization.

Another strategy designed to increase the number of ducks present early in the season is to prohibit waterfowl hunting, primarily goose hunting, that occurs before the opening of the duck season. Doing so may limit the amount of disturbance prior to the opening of the duck season and allow for the maximum build up of waterfowl prior to opening day. Hunting would still be allowed for ducks on the weekend of the youth hunt.

A traditional method of keeping waterfowl in an area during hunting season and for providing safe resting areas for migrating waterfowl is to establish refuges. Increasing the size of the Townline Reservoir/Berkhahn Flowage refuge and the Rice Lake/Pool 10 refuge at Mead will compliment other techniques which are designed to improve waterfowl hunting.

Do you favor closing hunting hours at 1:00 p.m. during the first 16 days of the duck season after opening weekend at Mead Wildlife Management Area (this provision would sunset after three years)?

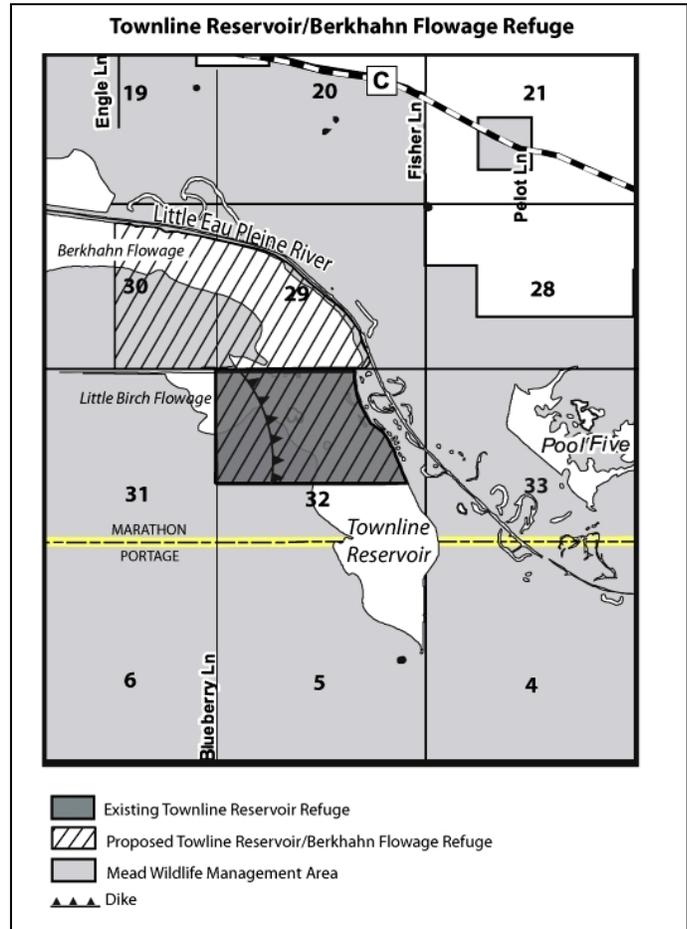
38. YES _____ NO _____

Do you favor closing the Mead Wildlife Management Area to all waterfowl hunting prior to the opening of the duck season, except that duck hunting would be allowed on the youth hunt weekend (this provision would sunset after three years)?

39. YES _____ NO _____

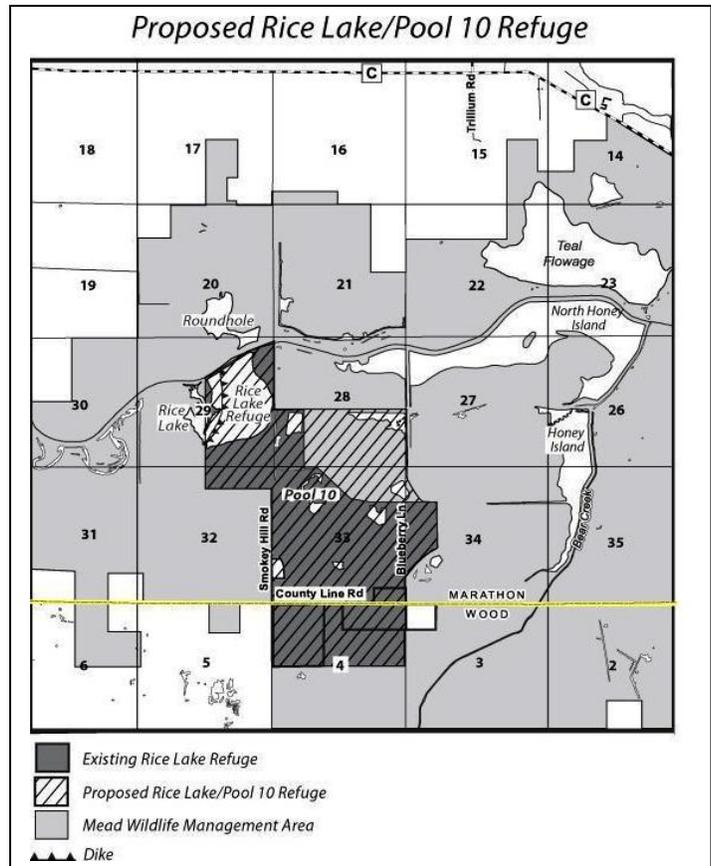
Do you favor increasing the size of the Townline Reservoir/Berkhahn Flowage refuge at Mead Wildlife Management Area? →

40. YES _____ NO _____



Do you favor increasing the size of the Rice Lake/Pool 10 Flowage refuge at Mead Wildlife Management Area? →

41. YES _____ NO _____



QUESTION 42 – Allow the use of dogs for turkey hunting statewide during the fall season (2010)

The use of dogs is currently allowed for turkey hunting in nine counties on a trial basis. Using dogs to scatter or “break up” flocks of turkeys in the fall so that the hunter can call them back is a traditional practice in some states. Other states have not experienced biological, safety, or law enforcement problems.

Following two years of the trial season with dogs for fall turkey hunting in Crawford, Jackson, Juneau, La Crosse, Monroe, Richland, Sauk, Vernon and Wood counties, no problems have been identified with user conflicts or harvest. Biologists are confident that this opportunity can be expanded statewide during the fall season.

Do you favor allowing the use of dogs for turkey hunting statewide during the fall season?

42. YES _____ NO _____

PROPOSED LOCAL WILDLIFE MANAGEMENT RULE CHANGE

QUESTION 43 – Allow the harvest stocked hen pheasants at Sand Creek Fishery Area, Monroe County (2010)

Surplus hen pheasants produced at the state game farm in Poynette are currently stocked for hunters at several properties that do not have natural reproduction of pheasants. The 680 acre Sand Creek Fishery Area has farm fields that have recently been converted to warm season grasses and prairie species that will be excellent habitat for pheasant hunting. Free permits and tags, already required of hunters at other hen/rooster areas, will be required so that hen pheasants can legally be possessed.

Do you favor allowing the harvest of stocked hen pheasants at Sand Creek Fishery Area, Monroe County?

43. YES _____ NO _____

QUESTION 44 – Allow the use of rifles for firearm deer hunting in Dunn County (2010)

State law prohibits the use of rifles south of Hwy 170 in Dunn County; therefore deer hunters in this area are restricted to the use of shotguns, handguns, and muzzleloaders to harvest deer during the gun deer seasons. However, areas of Dunn County north of Hwy 170 are open to rifle hunting. There are no biological or safety reasons for the current restriction. Eau Claire County, which is adjacent to Dunn County, allows the use of rifles for their deer gun seasons.

This proposal would allow the use of rifles during the gun deer season for all of Dunn County

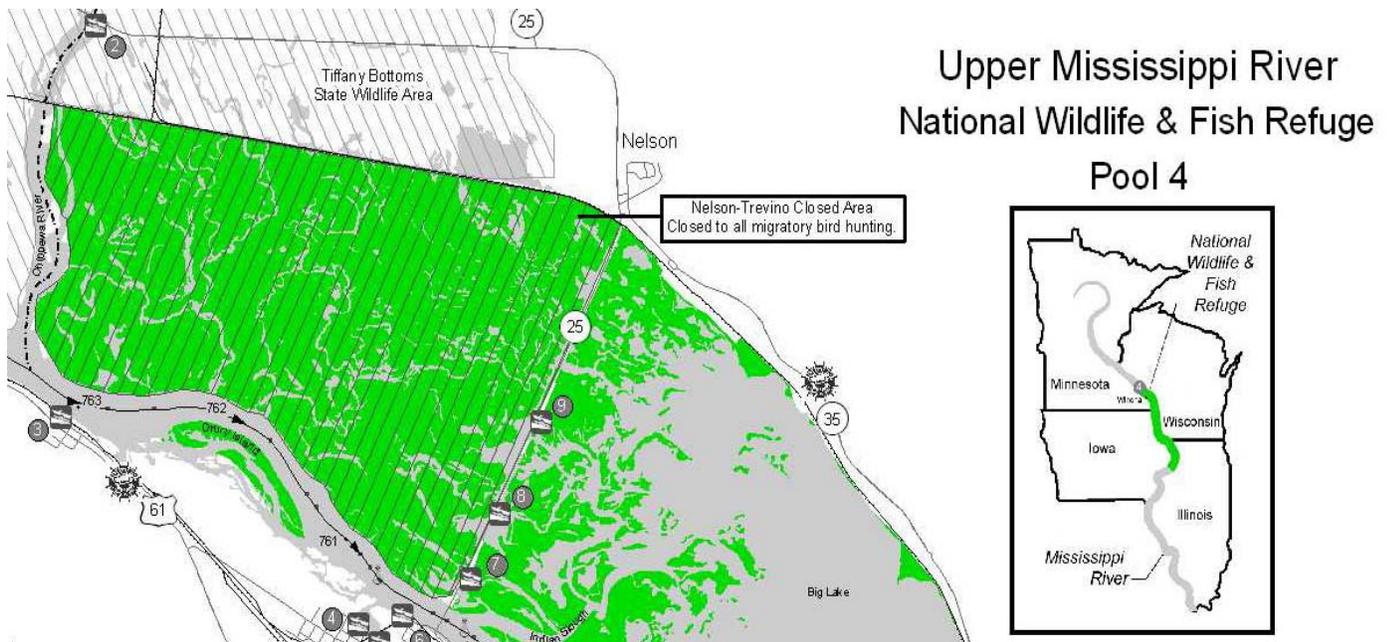
Do you support allowing the use of rifles in all of Dunn County during the gun deer season?

44. YES _____ NO _____

QUESTION 45 – Eliminate the Nelson-Trevino Mississippi River closed area in Buffalo County (2009)

The United States Fish & Wildlife Service has proposed eliminating the 3,773 acre Nelson-Trevino closed area on the federal Upper Mississippi River Fish & Wildlife Refuge after evaluation through the agency’s Comprehensive Conservation Plan. This closed area has been in place since the 1930’s and was modified in 1957.

This rule change proposal would make Wisconsin and federal regulations consistent by eliminating the same closed area in our state regulations. The federal Comprehensive Conservation Plan identified this area as not meeting the needs of migrating waterfowl and no longer needed as a waterfowl refuge. Hunting would be allowed in this area under both state and federal regulations.



Do you favor eliminating the Nelson-Trevino Mississippi River closed area in Buffalo County?

45. YES _____ NO _____

QUESTION 46 – Allow the use of rifles for firearm deer hunting in Shawano County (2010)

The use of rifles for deer hunting south of Hwy. 29 in Shawano County (Deer Management Unit 62B) is prohibited and deer hunters in this DMU are restricted to the use of shotguns, handguns, and muzzleloaders to harvest deer during the gun deer seasons. There are no biological or safety reasons for the current restriction. Rifles are currently allowed for use in the portion of Shawano County north of Hwy 29.

This proposal would allow the use of rifles in the southwest corner of Shawano County during the gun deer season.

Do you support allowing the use of rifles in the southwest corner of Shawano County during the gun deer season?

46. YES _____ NO _____

QUESTION 47 – Allow firearm deer hunting at Whitefish Dunes state park, Door County (2010)

Deer hunting has never been allowed at Whitefish Dunes state park. Deer are causing extensive browsing damage to vegetation and severely limiting forest regeneration. Allowing hunting during the traditional 9-day firearm deer season will provide a short, but intense, hunting effort that should keep deer populations at a level similar to the surrounding unit. Additionally, allowing hunting in the park will limit the problem of the park providing refuge to deer from neighboring properties and keep deer moving during the season.

Whitefish Dunes state park will not become its own deer management unit and access permits will not be required.

Do you favor creating deer hunting opportunities and controlling deer numbers by allowing hunting during the traditional 9-day firearm deer season at Whitefish Dunes state park?

47. YES _____ NO _____

QUESTION 48 – Establish antlerless-only deer seasons with periodical buck seasons at Wildcat Mountain State Park, Vernon County (2010)

Wildcat Mountain currently has a 19 day muzzleloader-only season and late archery hunting. Approximately 300 access permits are issued for the muzzleloader hunt annually. The muzzleloader season has been antlerless-only during most seasons but buck harvest is allowed during the archery seasons.

To help control deer populations, this proposal would make the base archery and muzzleloader season antlerless-only during most years. Under this proposal, buck harvest could be allowed during certain years. Local park staff have proposed allowing buck harvest every fifth year.

Do you favor making the archery and muzzleloader hunting seasons antlerless only except that buck harvest could be allowed periodically, such as every fifth year, at Wildcat Mountain State Park, Vernon County?

48. YES _____ NO _____

QUESTION 49 – Eliminate the state park hunting season framework at Cadiz Spring State Park and Recreation Area, allow hunting during all normal deer seasons on the recreation Area, Green County (2010)

Cadiz Springs is an 18 acre state park where hunting has not been allowed. The surrounding public lands have been open to deer hunting with the same seasons as other state parks that are open to hunting in the CWD Management Zone. Under this proposal, the special deer season for this property would be eliminated, opening the non-park lands to all normal deer hunting in that unit. The result is an increase in deer hunting opportunities including all-day hunting during the October firearm season and early archery hunting which have not been allowed in the past.

Hunting would continue to not be allowed on the 18 acres of state park which are improved for day use and contain structures and facilities.

Do you favor eliminating the special deer seasons and allowing all normal deer hunting at Cadiz Springs Recreation Area?

49. YES _____ NO _____

QUESTION 50 – Eliminate the late season archery deer hunt at Brunet Island State Park, Chippewa County (2010)

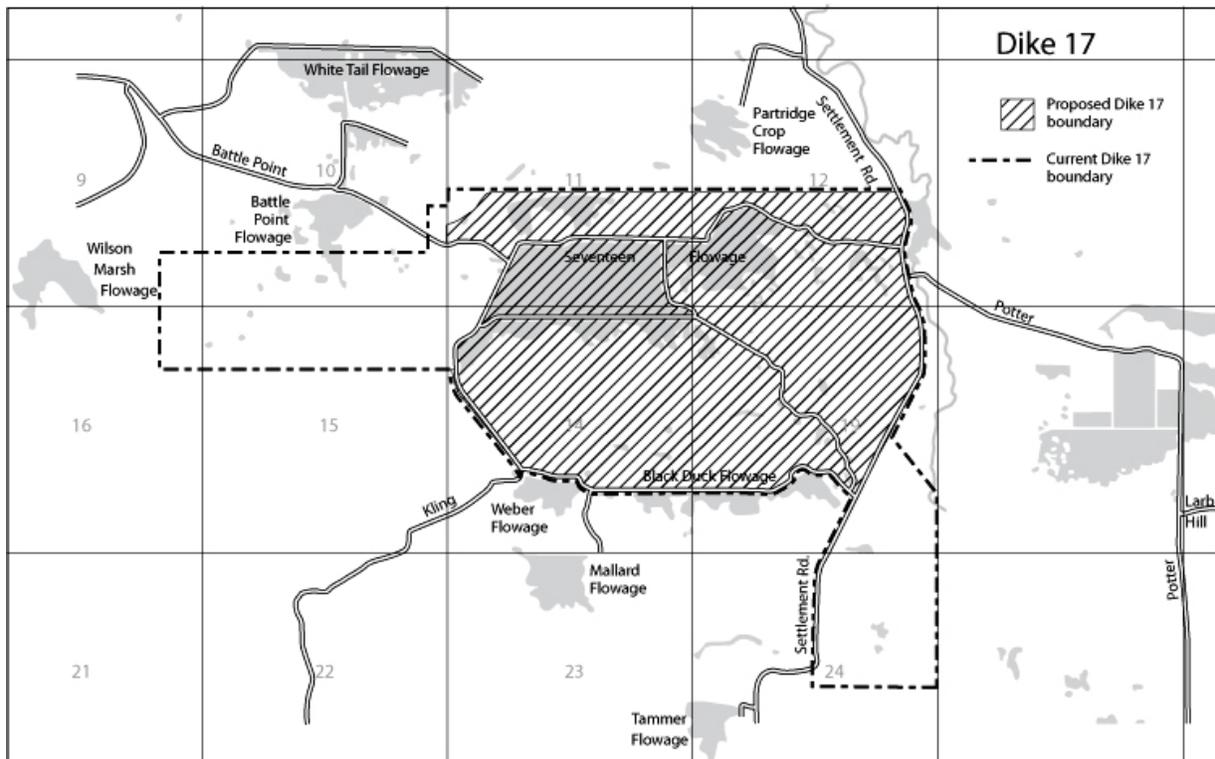
Brunet Island State Park has a 9-day shotgun only season for antlerless deer and is open during the late archery season. Participation in the late hunt is minimal, typically one to two hunters per season, and offers no assistance with herd control. Neighboring Lake Wissota State Park does not have an archery season and park managers would like both parks in this work unit to have consistent seasons.

Do you favor eliminating the late archery hunt at Brunet Island State Park for consistency with other parks in the area?

50. YES _____ NO _____

QUESTION 51 – Reduce the size of Dike 17 waterfowl refuge and allow trapping and firearm deer hunting, Jackson County (2010)

Dike 17 Wildlife Area is a 3,100 acre property located within the Black River State Forest. The property has a 2,170 acre waterfowl refuge that receives limited use by waterfowl and is larger than needed. Firearm and muzzleloader deer hunting are allowed and trapping requires a permit issued by the department. This proposal would reduce the size of the refuge by 800 acres and allow all trapping and hunting in the non-refuge area. In the remaining refuge area, deer hunting would be expanded to include the archery as well as the firearm and muzzleloader deer seasons and trapping would be allowed with no special permits required.

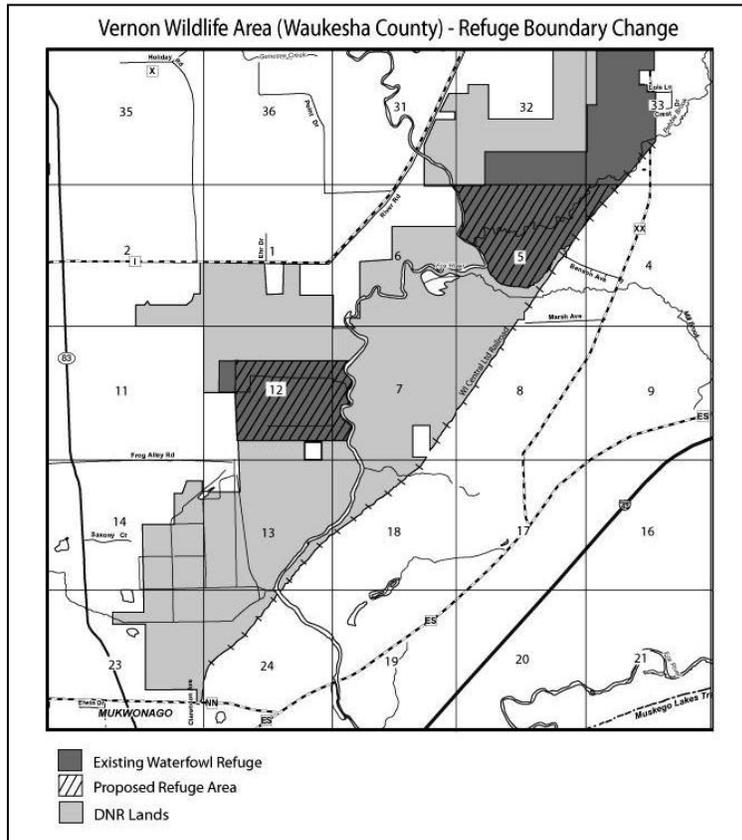


Do you favor reducing the size of the Dike 17 waterfowl refuge in Jackson County by 800 acres and allowing deer hunting during all seasons and trapping without special permits in the remaining refuge area?

51. YES _____ NO _____

QUESTION 52 – Reduce the size of Vernon Marsh waterfowl refuge because certain areas are no longer needed as goose refuge, Waukesha County (2010)

Vernon Wildlife Area is a 4,655 acre property (4,154 acres owned, 501 acres leased) in Waukesha County. The property contains 740 acres of refuge. This proposal would eliminate 395 acres of refuge on the north side of the property and open that area to all normal hunting activities. This area was traditionally an upland area that served as a goose refuge. Use is limited and refuge areas for geese are no longer needed in this area.



Do you favor expanding hunting opportunities by opening 395 acres of refuge in the Vernon Wildlife Area to hunting?

52. YES _____ NO _____

QUESTION 53 – 1:00 p.m. closure of migratory bird hunting, Lake Mills Wildlife Area, Jefferson County (2010)

The Lake Mills/Zeloski Marsh Wildlife Area is a newly expanded, very popular, 3,300 acre property where there is an opportunity to initiate special migratory bird hunting regulations designed to improve the quality of the hunt. This proposal would establish a 1:00 p.m. closure of migratory bird hunting, including waterfowl and mourning doves, beginning on Sept. 1 and continuing through the 16th day after the opening weekend of the duck season on the entire property. Afternoon hunting would be allowed on the opening weekend of the duck season. Similar regulations in other states have been shown to provide good hunting across an entire property rather than just near refuges, hold ducks in an area for a longer period of time, and provide excellent shooting opportunities at the opening of shooting hours and again before the 1:00 p.m. closure. This regulation would sunset after 3 years and, if there continues to be support, would need to be reauthorized.

This property includes a large wetland restoration of nearly 2,000 acres. This unit is comprised of large impoundments providing the opportunity to manage water levels for migrating and nesting waterfowl, shorebirds, and other wetland species of both flora and fauna. The area is filled with access lanes for management purposes which also provide excellent opportunities for walking, wildlife watching, and hunting. The Glacial Drumlin Trail lies adjacent to the eastern unit all along the north boundary and bisects the western unit of the wildlife area. This trail provides bicycle access and doubles as a snowmobile trail in the winter.

Do you favor establishing a 1:00 p.m. closure of migratory bird hunting hours from September 1 and continuing through the 16th day after the opening weekend of the duck season (except that hunting would be allowed afternoon on the opening weekend of duck season) at Lake Mills/ Zeloski Marsh Wildlife Area, Jefferson County?

53. YES _____ NO _____

QUESTION 54 – Allow firearm deer hunting at Potawatomi state park, Door County (2010)

Deer hunting has never been allowed at Potawatomi state park. Deer are causing extensive browsing damage to vegetation and severely limiting forest regeneration. Allowing hunting during the traditional 9-day firearm deer season will provide a short, but intense, hunting effort that should keep deer populations at a level similar to the surrounding unit. Additionally, allowing hunting in the park will limit the problem of the park providing refuge to deer from neighboring properties and keep deer moving during the season.

Potawatomi state park will not become its own deer management unit and access permits will not be required.

Do you favor creating deer hunting opportunities and controlling deer numbers by allowing hunting during the traditional 9-day firearm deer season at Potawatomi state park?

54. YES _____ NO _____

QUESTION 55 – Allow rifles for deer hunting on all of Hartman Creek State Park, Waupaca/ Portage Counties (2010)

Hartman Creek State Park currently allows firearm deer hunting during the traditional 9-day season. Waupaca is a shotgun deer season county and rifles are allowed in Portage County. The park straddles the county line so that a hunter who is using a rifle can only hunt a portion of the property. This proposal would allow the use of rifles in all of Hartman Creek State Park so that this regulation is consistent over the entire property.

Do you favor allowing the use of rifles for deer hunting on all of Hartman Creek State Park?

55. YES _____ NO _____

PROPOSED NATURAL RESOURCES BOARD ADVISORY QUESTION

QUESTION 56 – Youth Conservation Congress

National and state trends indicate that we are losing hunters at a steady rate and that kids are spending less and less time outdoors connecting with nature. Within a decade it's a demographic inevitability that we'll have fewer hunters than we have today. As the community ages, there will likely be an annual incremental small drop in participation each year over the next decade. Additionally, the population of hunters will be smaller in proportion to the overall population.

Recruitment and retention of the next generation of hunters, anglers, trappers and outdoor enthusiasts has become a focus of national and state natural resource agencies, as well as national and state conservation organizations. To rise to this challenge state and local conservation groups as well as the DNR have made significant investments in time, effort and money in the recruitment of young hunters.

Research has also found that engaging youth early on has a significant effect on whether or not youth continue to participate in many outdoor recreational activities such as hunting. Therefore, most of the hunter recruitment programs that have been established focus on providing special opportunities to youngsters and pairing them with mentors who are able to provide them with a positive experience in a hope that they will continue to participate. While recruiting children into our outdoor pursuits is important, of equal if not greater importance is instilling a sense of environmental stewardship in our next generation.

The Wisconsin Conservation Congress is unique to the United States. No where else do citizens have such a direct conduit into the establishment of natural resource policy. In this 75th Anniversary year of the Congress, the Natural Resources Board would like to gauge the public's interest in the establishment of a Youth Conservation Congress, which would function under the umbrella of the Wisconsin Conservation Congress. The goal of such an initiative would be to instill a sense of ownership, civic pride and advocacy in the future stewards of our state's natural resources. Just as we are attempting to recruit hunters, anglers and trappers, we should also consider recruiting the next generation of informed, dedicated and conservation minded citizens that will help to serve as the voice of the citizens of this state on matters concerning natural resources.

Would you support the concept of establishing a Youth Conservation Congress?

56. YES ____ NO ____



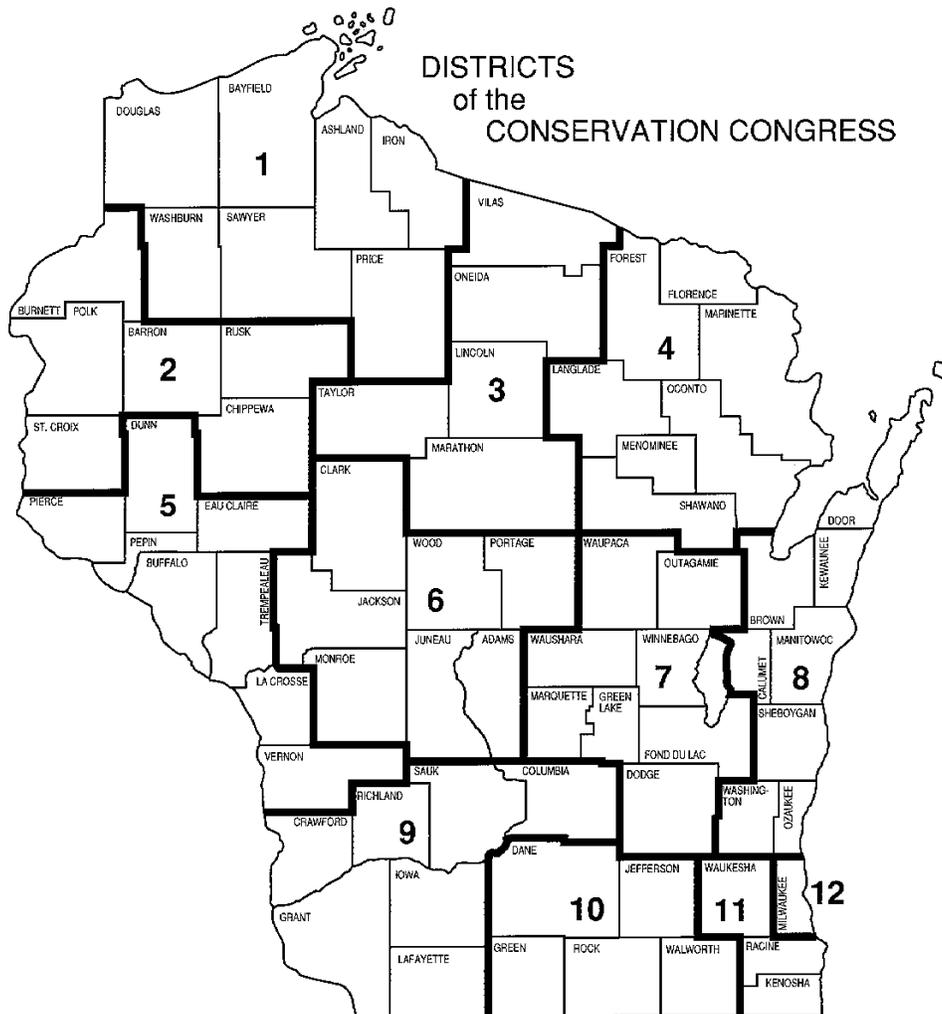
You are now entering the Wisconsin Conservation Congress County Meeting

The Wisconsin Conservation Congress does NOT accept written comments on its advisory questions. Only the tallies of the public votes received the night of the county meetings are taken into consideration when developing final recommendations.

Any comments on the Spring Hearing process only, may be made directly to:
Kurt Thiede, LS/8, DNR, P.O. Box 7921, Madison, WI 53707-7921

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EXECUTIVE COUNCIL ADVISORY QUESTIONS

QUESTION 57 – An EAB Alternative

The use of the Earn-a-Buck deer season in Wisconsin has been controversial, unpopular, and seemingly unfair to many hunters since its inception. Yet, EAB has proven to be effective at reducing high deer populations. It accomplishes this by tying the ability, opportunity, and desire for harvesting a buck with the biological necessity of harvesting antlerless deer. Sadly, EAB does this on an individual hunter basis where one hunter may be able to hunt bucks for over 100 days, while another hunter may never have even one day's chance.

Another way of utilizing the same "ability, opportunity, and desire for harvesting a buck" would be to implement a full-length antlerless season with a shortened buck harvest period. Season opening weekends (and perhaps a two or three week rutting period) would always be open for buck harvest so everyone in the DMU has the same chance at that time for a buck every year that the program is in effect. Antlerless harvest would be spurred on during the rest of the season by the desire to return to a full-season buck hunting opportunity again. Specific time periods and trigger points for the implementation of such a management tool could be developed cooperatively with the DNR. All hunters under this system would *and should* be treated equally.

In areas or DMUs of high over-goal deer populations *and* in an effort to provide *equal buck-hunting opportunity* to all hunters in those units, would you prefer the concept of shortening buck hunting opportunity by limiting the buck harvest equally for all hunters on a seasonal basis instead of limiting individual opportunity through the use of EAB?

57. Yes _____ No _____

QUESTION 58 – Turkey Hunting with Dogs Regulations

Fall turkey hunting with the use of dogs is currently allowed in portions of Wisconsin, and may be proposed for implementation across the state. Fall turkey hunting with dogs primarily utilize the traditional "scatter and call back" method of hunting, where dogs are used to scatter the flock and the hunter calls the turkeys back together for the harvest. However, some hunters are concerned that allowing fall turkey hunting with dogs may encourage upland game bird hunters to try to shoot a flushing turkey. Shooting at flying turkeys with upland game bird shot can cause undue wounding and loss. While shooting at a flying turkey is not illegal, considering the increased risk of wounding a bird, it should also not be promoted or encouraged. For this reason, some hunters feel that the only method for fall turkey hunting with dogs that should be legal is the "scatter and call back" method.

To enforce such a requirement, specific regulations would be necessary, such as requiring those who hunt turkeys using dogs would be required to possess a dog hiding bag or blind, and any hunter harvesting and in possession of a fall turkey may not possess any upland game bird until that turkey has been registered.

Would you support rules that would require anyone hunting fall turkeys with the aid of dogs to possess a dog hiding blind or bag, and prohibit a hunter from possessing any upland game bird, while in the possession of a turkey, until the turkey is registered?

58. Yes _____ No _____

BIG GAME STUDY COMMITTEE ADVISORY QUESTIONS

QUESTION 59 – Buck Fawn Identification Information

Hunting regulations define an antlerless deer as any deer without antlers or with both antlers less than 3 inches in height. Under this definition, a buck fawn would be considered an antlerless deer. Some hunters would prefer not to shoot a buck fawn when harvesting an antlerless deer. The DNR could include a section in the deer regulations on "*How to identify a buck fawn*". This information may assist hunters, who do not want to shoot buck fawns, in identifying buck fawns while in the field.

Would you support the DNR providing information about buck fawn identification in the deer regulations?

59. Yes _____ No _____

QUESTIONS 60 & 61 – Later Muzzleloader Deer Seasons

The current 10-day muzzleloader deer season starts immediately after the close of the regular 9-day firearm deer season. Some hunters feel that it would be beneficial to have a later-opening muzzleloader season. More hunting opportunities could be realized during the holiday season and deer would have a few weeks to settle back into normal patterns again.

If either one or both of these questions receive positive support, the one with the greatest support will be advanced to the DNR.

QUESTION 60 – Would you support a 10-day muzzleloader deer season opening on December 22nd, no matter what day of the week, running through December 31st?

60. Yes _____ No _____

QUESTION 61 – Would you support a 16-day muzzleloader deer season opening the Saturday before Christmas, and continuing through the Sunday following New Years Day? (*Example: 12/19/2009 until 1/3/2010*)

61. Yes _____ No _____

QUESTION 62 – Deer Registration Information

The current deer registration stub does not provide for detailed information on sex or age of deer harvested. The DNR is encouraging harvest of antlerless deer by antlerless only and earn-a-buck seasons. More detailed information will not only provide better harvest information to the public, but will also give the DNR more information to make future management decisions.

Would you support the DNR changing the deer registration stubs to indicate adult antlered, adult antlerless, buck fawn or doe fawn and that this recorded information be available with the annual deer harvest summary?

62. Yes _____ No _____

QUESTION 63 – Private Land-only, Antlerless-only Deer Season

In an attempt to control high deer populations in some areas of the state, the Wisconsin DNR has held special 4-day antlerless-only deer seasons, usually called T-Zone seasons, in October and/or December for the last several years. Because deer hunters with antlerless tags flow to the areas with the least resistance to access, there is a wide-spread perception in many Deer Management Units that public land in those DMU's with antlerless hunts are being over-harvested while the privately controlled land holds the actual over-population of deer in that unit.

Creating a private land-only, antlerless-only deer season might better focus antlerless harvest efforts where the actual population problem exists and could help address the concerns of over-harvesting public land.

Would you support the concept of some type of private land-only, antlerless-only deer season as a more focused and precise tool for deer population management?

63. Yes _____ No _____

QUESTION 64 – Eliminate Earn-A-Buck (EAB) and October Antlerless Deer Hunts

Wisconsin's deer hunting heritage and tradition is protected by a Constitutional right to hunt. Some hunters feel the current EAB and October special antlerless hunts are unreasonable in that they negatively impact hunting traditions and deny hunters the right to hunt bucks.

Would you support the DNR eliminating Earn-a-Buck and special October antlerless deer hunts?

64. Yes _____ No _____

QUESTION 65 – Maximum of Two Consecutive Years for a Deer Management Unit to be designated as an Earn-a-Buck (EAB) unit

Earn-a-Buck regulations are very unpopular with hunters and may have led to an over harvest of antlerless deer in some areas of the state. To control deer populations in the state there needs to be a partnership between the hunters and the DNR. To build that partnership there needs to be a balance between the use of strict harvest regulations and the desires of the deer hunters.

Would you support a rule change that would prohibit EAB seasons from being held for more than two consecutive years within the same unit, and would require a one year break from EAB, before a unit could be re-designated as an EAB unit?

65. Yes _____ No _____

QUESTION 66 – Allow Bow Hunting During the 9-Day Deer Gun Season

Currently, the DNR allows bow hunting for deer during the October and December antlerless gun seasons, the muzzleloader season, and all firearm seasons in the CWD zone. There are areas within the state that do not allow use of firearms and there are some hunters who only hunt with a bow. The 9-day traditional gun season is the only season closed to bow hunting and if opened could provide additional harvest in firearm restricted areas and additional recreational opportunities for bow only hunters.

Would you support bow hunting during the 9-day traditional gun season using a bow license?

66. Yes _____ No _____

CWD AD-HOC STUDY COMMITTEE ADVISORY QUESTION

QUESTION 67 – Magnifying Scopes on Muzzleloaders

The original muzzleloader deer hunt began in 1992 as an opportunity for hunters to use a more primitive weapon to harvest a deer during a 7-day season that was separate from the 9-day firearm deer season. The traditional muzzleloader hunt is now 10 days long; however some question whether it is still truly “traditional” due to the evolution of the muzzleloader. Modern in-line muzzleloaders are capable of shooting accurately for distances up to and exceeding 200 yards.

Currently, use of magnifying scopes on muzzleloaders, during the 10-day season is illegal. However, over the last number of years, numerous citizen resolutions have been introduced at the Spring Hearings that request the laws prohibiting magnifying scopes on muzzleloaders during the 10-day muzzleloader deer season be repealed. In addition, in 2008, the CWD Stakeholders Advisory Group recommended that the restrictions on magnifying scopes during the 10-day season be removed to provide additional deer hunting opportunities and to help to reduce the deer population with improved accuracy and efficiency. Currently, a hunter can use a magnifying scope on a muzzleloader during any of the other firearm deer seasons.

Another argument for lifting the prohibition is that a 1x (power) scope is not adequate for many hunters to make the ethical and accurate shot that is needed to harvest a deer. In addition, proponents of allowing magnifying scopes have indicated that there is a safety issue, that a hunter's ability to know their target and what is beyond would be enhanced if magnifying scopes were allowed.

Would you support allowing magnifying scopes (greater than 1x or power) be allowed on muzzleloaders during the 10-day muzzleloader deer hunting season?

67. Yes _____ No _____

**ENDANGERED RESOURCES AND LAW ENFORCEMENT STUDY COMMITTEE
ADVISORY QUESTIONS**

QUESTION 68 – Prohibit the Shooting of Antlered Deer in the CWD Zone Under Agricultural Shooting Permits

Wildlife Damage Abatement and Claims Program (WDACP) shooting permits are issued to farmers to help control damage to agriculture crops caused by deer. Statewide, unless otherwise written on the farmer's permit, only antlerless deer may be shot under the authority of the permit. However, in the Chronic Wasting Disease (CWD) Management Zone antlered deer may be harvested using WDACP shooting permits and there is a perception that trophy hunting for antlered deer is taking place. Prohibiting the issuance of shooting permits for antlered deer would stop this practice.

Would you support prohibiting the issuance of WDACP shooting permits for antlered deer in the CWD Management Zone?

68. Yes _____ No _____

QUESTION 69 – Remove Woodchucks from the List of Protected Species

Woodchucks are currently listed as a protected species in the State of Wisconsin. However, there is no biological or resource management related evidence that supports the listing of woodchucks as a protected species. The designation of “protected” means that a person may not take, attempt to take, transport or possess a woodchuck with a few exceptions. This designation is typically reserved for species in need of protection for social or biological reasons. Some other species currently listed as protected include lynx, badgers, moose, albino deer and birds of prey.

Currently, there is an exemption in state statute that allows landowners in Wisconsin, without a small game license and subject to all other restrictions except seasons, to hunt or trap on their property for woodchucks year-round. Landowners are also allowed to give others permission to hunt or trap woodchucks that are causing damage.

Removing woodchucks from the list of protected species would still allow landowners to hunt or trap woodchucks without a license on their property, but it would also allow non-landowners to hunt or trap woodchucks under the authority of a small game license.

Would you support removing woodchucks from the list of protected species?

69. Yes _____ No _____

**FORESTRY, PARKS, AND RECREATION STUDY COMMITTEE
ADVISORY QUESTION**

QUESTION 70 – Treestands on State Lands

Currently, hunters are prohibited from leaving tree stands on state lands overnight. Wisconsin administrative rules allow the use of portable tree stands that do not damage the tree, but require the removal of such tree stands from state owned land at the end of hunting hours each day. This restriction reduces the likelihood that the stand is later abandoned by the owner. In addition, the placement of semi-permanent blinds or tree stand on department lands may give the owner the false belief that they then have exclusive use of that particular area, and other hunters may not feel they should hunt that area. However, this requirement results in hunters having to erect and remove stands in the dark. Statistically, most tree stand accidents occur when erecting and removing stands, and conducting these activities in the dark further increases the risk of injury. This law for state lands is not consistent with rules on the National Forest and many county forests. On the Chequamegon-Nicolet National Forest, portable tree stands used by hunters can be left in the woods until the last day of the hunting season.

Would you support rules that would allow the overnight placement of properly marked, portable, non-damaging tree stands on state owned land open to hunting as long as the stand is being actively hunted?

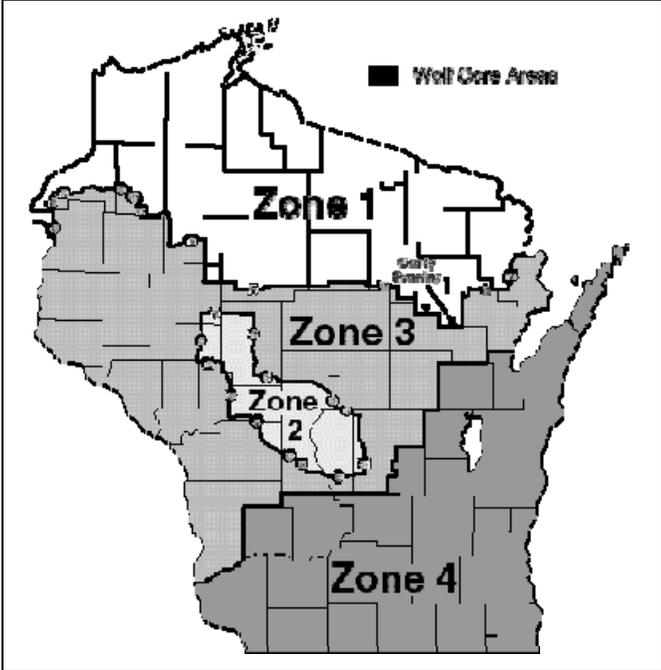
70. Yes _____ No _____

FUR HARVEST STUDY COMMITTEE ADVISORY QUESTIONS

QUESTION 71 – Statewide Coyote Hunting Season Year Round

The coyote season in Wolf Management Zone 1 (see map) is currently closed during the deer gun season. Coyote season in this area has been closed during the deer gun season since 2000 as recommended in the Wisconsin Wolf Management Plan to avoid the accidental harvest of wolves. However, wolves currently exist in the zones outside of Zone 1 where the coyote season is open during the deer gun season, and the accidental harvest of wolves has been virtually non-existent with only a couple of documented cases.

Continued closure of this season in Zone 1 could lead to an over population of the species in this area leading to reduced populations of ruffed grouse, cottontail rabbits, snowshoe hares, and other small game. Additionally, allowing coyote hunting during the deer gun season in this Zone will create more hunting opportunity for the gun deer hunter as well as the small game hunter.



Would you support opening the coyote season in Wolf Management Zone 1 in northern Wisconsin?

71. Yes _____ No _____

QUESTION 72 – Extend Trap Check Times

Weasels are typically harvested in winter by trappers. However, most trappers do not actively pursue weasels because of the cost and time required to return to check their traps each day as required under current law. Current rules require that all traps set on land must be checked on a daily basis.

This proposal would allow for an extended trap check time of once every 4 days on traps set for weasels in enclosed boxes. The trap would have to be fully enclosed and any opening(s) in the enclosure could be no greater than 2 inches, with the trap pan or trigger no closer than 4 inches from the outside of the opening. Legal dry land traps set in this manner would be species specific to weasels and the animals will be quickly dispatched when captured, and totally concealed, eliminating the need for daily checks. With the fully enclosed box, the 2 inch opening(s) and the 4" recess to the trap pan or trigger incidental, non-target species catches will be virtually eliminated. This would allow trappers greater flexibility in harvesting an abundant furbearer and would allow increased recreational opportunities for trappers.

Would you support the extension of the trap check requirement for weasel traps from once a day, to once every 4 days for legal dry land traps set in an enclosure that is constructed so that the trap opening(s) are no greater than 2 inches and the trap pan or trigger is no closer than 4 inches to the outside of the enclosures opening?

72. Yes _____ No _____

QUESTION 73 – Bobcat Permit Application Fee Increase

In 2008, the Wisconsin Conservation Congress proposed a multi-faceted proposal for the restructuring of the bobcat season framework in Wisconsin. This past fall a reasonable compromise was reached, with details included in the Department's Spring Hearing Rule Questions 31 and 32, which is found on page 26 of this questionnaire. What is still needed is a funding source for the research, management and administration of this new system. To generate the necessary funds for the adequate funding of this initiative, the Conservation Congress recommends increasing the fee for a bobcat application by \$3. With this modest fee increase, applicants are expected to remain around 10,000 annually. With this increase earmarked for research and management, the department would have the funds to determine the range and abundance of bobcats in central and southern Wisconsin, critical in opening new regions to harvest. These funds would also allow assessment of population trends through annual surveys.

Would you support legislation adding \$3 to the bobcat permit application fee and have it earmarked for bobcat research and management?

73. Yes _____ No _____

QUESTION 74 – Allow Trappers to Use Bait and Lures Prior to the Trapping Season

Bobcat hunters that use hounds to pursue bear and bobcat are allowed to train their dogs prior to the season to improve the efficiency of their hounds. However, trappers can not place bait, lures or use visual stimuli prior to the opening of bobcat season. Considering that a trapper currently only draws a tag for a bobcat once every five or six years, and notification of winning a permit only comes six weeks prior to the season opener, it puts trappers at a disadvantage.

Currently, bear hunters are allowed to bait before the bear harvest season in part to select the best bear to hunt. Similarly, trappers should be allowed to bait, lure and use visual stimuli prior to the opening of the bobcat season. Baiting and photographing the site prior to the bobcat season would increase a trapper's chances of successfully harvesting a bobcat.

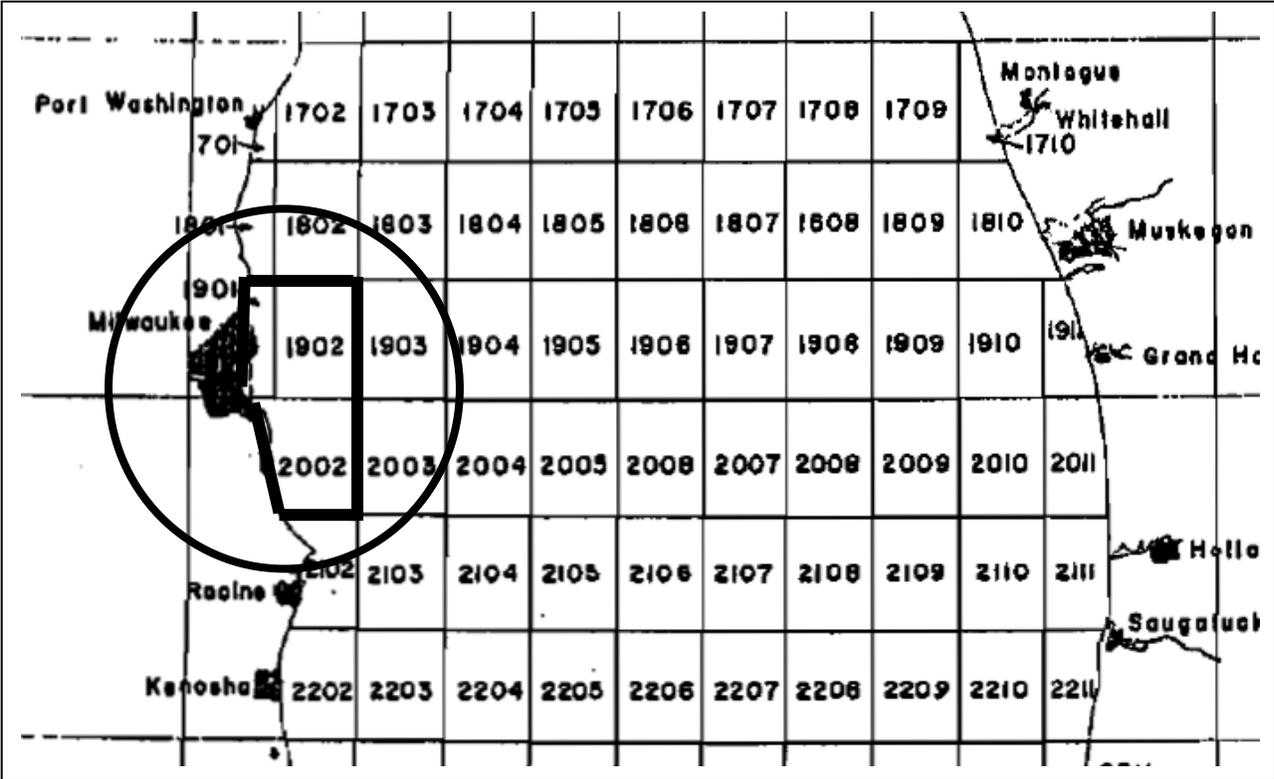
Would you support allowing trappers to bait, lure and use visual stimuli prior to the opening of the bobcat season?

74. Yes _____ No _____

GREAT LAKES STUDY COMMITTEE ADVISORY QUESTION

QUESTION 75 – Restrict Lake Michigan Commercial Fishing Harvest in Select Grids

There have been documented examples of significant incidental harvest of yellow perch by commercial fishers targeting other legal species in areas identified to be critical to the recovery efforts of Lake Michigan Yellow Perch. Of specific concern are areas adjacent to the Green Can Reef (Grids 1901, 1902 and 2002) where the perch are most vulnerable. As the Lake Michigan yellow perch population is considered to be a fragile fishery, it has been suggested that these areas should be closed to commercial harvest to avoid incidental take of yellow perch.



Would you support recommending that the Department of Natural Resources take action to protect yellow perch by prohibiting all commercial fishing in grids 1901, 1902 and 2002 as identified in the map?

75. Yes _____ No _____

LEGISLATIVE STUDY COMMITTEE ADVISORY QUESTIONS

QUESTION 76 – Allow Elderly Persons the Use of All Terrain Vehicles while Hunting

Currently, elderly people who don't have severe physical disabilities, but who need help in walking in hunting terrain, are unable to use ATVs. This limits their ability to participate in the hunt. ATV use permits are given to individuals with disabilities, but not to elderly persons that just need a little help. If a permit were available that would allow elder people to use ATV while hunting, more hunters over the age of 65 could continue to participate in deer and bear hunting on state land. ATVs would be required to stay on vehicle trails.

Would you be in favor of seniors 65 years old or older, or hunters with a disabled hunting permit, to have the opportunity to purchase a \$5.00 permit to be able to utilize an ATV or similar vehicle to travel to and travel from a hunting location and harvest deer, bear or other big game animals on already established vehicle trails (other than gated or sensitive areas) on state land?

76. Yes _____ No _____

QUESTION 77 – Change in the Minimum Age for Sturgeon Spearing

Currently, youth ages 12 and 13 are able to participate in hunting, trapping and fishing in Wisconsin. However, a youth must be 14 years of age to participate in sturgeon spearing. This rule is in place as a safety precaution. Due to the size and power of the fish, and the large opening in the ice, there were concerns that a 12 or 13 year old may not be capable of controlling the fish and could fall into the water and would be at risk for more serious injury.

To allow 12 and 13 year olds to participate, and to also take into account the safety concerns, it is proposed that a parent or legal guardian at least 18 years of age must accompany the 12 or 13 year old sturgeon spearer. Accompany means that the parent or guardian must physically be in the shanty with the 12 or 13 year old.

Would you support a statute change to allow a 12 or 13 year old to sturgeon spear provided they were accompanied by a parent or legal guardian, who was at least 18 years of age?

77. Yes _____ No _____

QUESTION 78 – Prohibit Legislation Regarding Wildlife and Fisheries Management without Public Hearings or DNR input

In the previous state budget a legislator inserted a provision pertaining to wildlife management without input or support from the DNR, the Conservation Congress, the Natural Resources Board, or the general public through the annual Spring Hearings. Fish and game decisions should be made by and in cooperation with trained professional resource managers and the public. Rule changes should go through the DNR rule making process and the Conservation Congress Spring Hearings to gauge public sentiment. Legislative changes involving fish and game, without input from the DNR and the public is not in the best interest of wildlife nor the public.

Would you support legislation that would prohibit legislators from making fish and wildlife regulation changes without first having public hearings and input from the DNR?

78. Yes _____ No _____

**OUTDOOR HERITAGE & EDUCATION STUDY COMMITTEE
ADVISORY QUESTIONS**

QUESTION 79 – Winter Free Fishing Weekend

Wisconsin currently holds a successful summer Free Fishing Weekend each June. It allows a person to try the great sport of fishing without having to invest in the required licenses. It also allows existing anglers the chance to mentor and recruits others to the sport. If Wisconsin was to hold a winter Free Fishing Weekend anglers would be able to mentor and recruit new fishermen to the different types of fishing opportunities available in the winter months.

Would you favor the Wisconsin DNR taking action to implement a winter Free Fishing Weekend in Wisconsin?

79. Yes _____ No _____

QUESTION 80 – Include 16 & 17 Year Olds in the Youth Hunts

Currently Wisconsin holds special 2-day youth hunts for turkey, deer and waterfowl. These highly participated hunts are designed to allow 12-15 year olds being supervised by an adult an opportunity to hunt before the regular season opens. This allows the youth the full attention of the adult and increased opportunity when the game is plentiful. It also allows the adult a chance to mentor a youth who otherwise may not get the opportunity to try that species of hunting. If the age restrictions were increased to include 16 and 17 year olds the mentoring adult would be able to reach more youth who may not have been exposed to the great sport of hunting at an earlier age.

Would you favor the Wisconsin DNR to take appropriate action to allow adult supervised 16 and 17 year old youth hunters to participate in the Wisconsin Youth Hunts?

80. Yes _____ No _____

QUESTION 81 – Increased Youth Opportunity

The 12-19 year old Hunter Safety graduate is one of our safest groups of hunters according to accident data. Twelve and thirteen year old hunter safety grads must hunt in voice contact with an adult. Currently, a pre-twelve year old hunter safety grad, who turns 12 during a respective hunting season, must wait until they turn 12 to begin hunting. This means they lose the excitement of opening day anticipation and practice with older hunters. In the case of spring turkey this means they likely lose out on the youth hunt which is held the weekend before opening week. Allowing the pre-twelve year old youths to begin on opening day, if they turn twelve during the season, will not only allow them to experience the full excitement of the practice and opening day anticipation, but in the case of the fall hunts lets them begin when the weather is warmer and the game is the most plentiful. For example, currently our Whitetail Archery season is over 3 months long which means over 25% of our 12 year olds will have a birth date during the season.

Would you favor allowing youth who have attained their hunter safety certification to begin on opening day of their respective hunting season if they turn twelve during the respective season?

81. Yes _____ No _____

UPLAND GAME STUDY COMMITTEE ADVISORY QUESTIONS

QUESTION 82 – Day Old Chick Program Requirements

The State Game Farm provides day-old pheasant chicks to conservation clubs enrolled in the Day-old Chick (DOC) program. Cooperating clubs sign an agreement which states they agree to provide all labor and costs for raising the birds and will release them on private land open to public hunting or on approved state-owned lands. DOC clubs have the option of a cost-share agreement which states they may release pheasants on private lands closed to public hunting, but they must return a percentage of the pheasants they raised back to the DNR. The DOC program currently involves 44 conservation clubs in 24 counties.

The current wording of one of the rules in the contract is as follows:

The club agrees to release all of the pheasants reared under this program on land open to public hunting. The club expressly agrees that no birds will be released on land that is posted against hunting on or land on which the occupant or owner restricts hunting.

The DNR currently interprets this rule in the contract for the DOC program to mean that “open to public hunting” means that no permission from the landowner was required for hunters to access the property where the DOC were released. Some program participants feel that this interpretation by the DNR does not respect the landowner’s rights, and that hunting should be specific to pheasant hunting and exclude other forms of hunting. Therefore, it is recommended that the language in the DOC contract be modified to read as follows:

The club agrees to release all of the pheasants reared under this program on land open to pheasant hunting by permission. The club expressly agrees that no birds will be released on land that is posted against hunting on or land on which the occupant or owner restricts pheasant hunting.

Would you support this modification to the contract for the Day-Old-Chick program?

82. Yes _____ No _____

QUESTION 83 – Atlatl and Dart

The atlatl and dart, is the predecessor to the bow and arrow. It is a short-range weapon, similar in limitations to that of a traditional bow, but can deliver more kinetic energy than a traditional bow. Wisconsin hunting regulations presently do not allow the use of the atlatl and dart to be used for the taking of small game.

The atlatl has no advantage or disadvantage over archery; therefore, it would present no problem to the hunter during the regular small game season. The atlatl and dart should be permitted, and have similar regulations as are now enforced for hunting with the bow and arrow.

Would you support allowing the use of the atlatl and dart for small game animals during the normal small game seasons?

83. Yes _____ No _____

QUESTION 84 – Combine Pheasant and Turkey Stamps

Turkey Stamp funds have been providing opportunities for wild turkey management in Wisconsin since 1995. All turkey hunters are required to purchase the \$5.25 turkey stamp to legal hunt turkeys in Wisconsin. Sale of the turkey stamp currently generates over \$500,000 annual for habitat management and restoration projects, education, research, equipment, and for wild turkey management and hunting in Wisconsin.

Similarly, all pheasant hunters in Wisconsin are required to purchase the \$10 Pheasant Stamp. Revenue collected from sales of the pheasant stamp are put into a special designated account to be used specifically for wild pheasant restoration and the raising and releasing of put-and-take pheasants on public hunting grounds. More specifically, 40% of the revenue from the pheasant stamp is used for developing, managing, preserving, restoring and maintaining the wild pheasant population in the state. These funds affect thousands of acres of pheasant habitat every year benefiting not only pheasants, but many other grassland species as well. The other 60% of the funds are used for the raising and releasing of put-and-take pheasants on selected public hunting grounds.

While turkeys and pheasants have dedicated funding, numerous other upland game birds do not, including ruffed grouse, bobwhite quail, Hungarian (grey) partridge, woodcock and sharp-tailed grouse. Therefore it has been suggested that the Turkey and Pheasant Stamps be consolidated into a general Upland Habitat Stamp that would benefit all upland game bird species. Illinois and other states are already using a general habitat stamp with great success. Such a stamp would be required for anyone to hunt game birds in Wisconsin. However, prior to the implementation of such a proposal the Department would have to consider the cost of a new stamp, methods to assure adequate and continued funding for the pheasant stocking program as well as turkey and pheasant habitat projects.

Would you support having the DNR investigate the possibility of consolidating the Turkey and Pheasant Stamps into a single Upland Game Habitat Stamp that would cover all upland game bird species including turkey, pheasant, ruffed grouse, bobwhite quail, Hungarian (grey) partridge, sharp-tailed grouse, woodcock, provided it would provide a cost savings for hunters, and would not result in any reduction in revenue for the turkey and pheasant programs?

84. Yes _____ No _____

WARM WATER STUDY COMMITTEE ADVISORY QUESTIONS

QUESTION 85 – Increased Size Limit on Muskellunge, Green Bay and Related Waters

The re-introduction of muskellunge into Green Bay has created a world class fishery. Natural reproduction has not yet been documented. The system is entirely dependant on stocking. Last year the department enacted rules pertaining to Viral Hemorrhagic Septicemia (VHS). These rules have halted stocking, and has cast uncertainty onto the future of the fishery. Growth rates for muskies in these waters has been exceptional.

Along with it's reputation comes a significant increase in fishing pressure. While significantly benefiting the local economy, it may be short lived if more aggressive efforts aren't taken to protect this fragile and finite resource. The demise of the fishery will surely be escalated by over harvest.

Would you support increasing the size limit on muskellunge from 50 to 54 inches in the following waters: Lake Michigan north of Waldo Boulevard, Manitowoc, Sturgeon Bay, the waters of Green Bay proper, the Fox River upstream to the DePere dam, and the tributary streams considered outlying waters?

85. Yes _____ No _____

QUESTION 86 – Creating a Size Limit on Northern Pike in the Waters of Green Bay

Although good natural reproduction of northern pike in Green Bay continues in spite of recent low water levels, the decline in quality sized fish has been noted. Presently, there is no size limit on northern pike in Green Bay. Many pike are not reaching their large size potential.

Current regulations protect many other species of fish, including perch, walleye, and the recently introduced muskellunge with size limit restrictions. The northern pike fishery deserves the same protection.

Would you support creating a catch and release slot size of 30 inches to 40 inches on northern pike in the waters of Green Bay. The daily bag limit would remain 5 fish with only one fish allowed over 40 inches?

86. Yes _____ No _____

QUESTION 87 – The Great Northwest Bass Restoration Initiative

The bass fishery in Burnett County and northwest Wisconsin is facing a significant challenge. Bass are growing at much slower rates compared to historical standards.

Based on the 1990 DNR Fish Management Reference Book only 12% of lakes in NW Wisconsin did not meet minimum growth standards at the time size limits were adopted. Based on a random sample of 15% of the 215 lakes greater than 50 acres over the last three years, 61% of the largemouth bass lakes north of Highway 70, and 70% of the lakes south of Highway 70 in these counties do not meet the minimum growth standards. 19% of the sample populations could not reach preferred size (15 inches) within a normal 10 year life span while 97% reached or exceeded 15" by age 7 under pre-size limit conditions. Only 15% of present populations approach what was considered average in 1990. Fishing pressure is less than statewide or northern averages.

To correct this situation anglers in northwestern Wisconsin recommend a rule change to reduce the size limit on bass from 14" to zero" in Burnett County. The proposal would not affect the bag limit or bass management zone boundaries.

Would you support removing the size limit on largemouth and smallmouth bass in Burnett County?

87. Yes _____ No _____

QUESTION 88 – Size Limit on Bass in Washburn County

Bass in many Washburn County lakes have become overpopulated. This causes two problems. First, the bass outcompete and eat too many other fish in these lakes, thereby ruining the balance of fish in the lake. According to Washburn County anglers, bass seem to be especially impact the walleye in many of the backwoods lakes. Bass outcompete the walleye and eventually take over the lake. Secondly, the overpopulation of bass restrict the ability of bass to reach their growth potential and many lakes do not produce the bass that meets the 14" size limit required for legal harvest.

To correct this situation, it has been proposed that the bass size limit on Washburn County lakes be removed for 5 years until the overpopulation of bass in these lakes is resolved.

Would you support a rule change removing the size limit on bass in Washburn County for a 5 year period?

88. Yes _____ No _____

QUESTION 89 – Chippewa Flowage Winter Bag Limit on Crappie

There is currently a zero bag limit for crappie on the Chippewa Flowage in Sawyer County during the winter months (December 1 to the first Sunday in March). Unstable lake levels were the main reason for the zero bag limit in order to protect vulnerable populations that would become confined in smaller pools. However, the flowage is not being lowered as in the past, and therefore is no longer a biological need for this regulation. In the summer the bag limit for crappie on the Chippewa Flowage is 15. In an effort to allow ice anglers to harvest crappies, local anglers have recommended that a bag limit of 2 crappies be allowed from December 1 to the first Sunday in March.

Would you support removing the zero bag limit on crappie on the Chippewa Flowage, and allow a daily bag limit of 2 crappies from December 1 to the first Sunday in March?

89. Yes _____ No _____

QUESTION 90 – Manage Smallmouth and Largemouth Bass as Separate Species

Bass fishing is the preference for the largest portion of the fishing fraternity, and the DNR does not differentiate between Largemouth and Smallmouth bass. These two species are very easy to differentiate. They differ ecologically, biologically, and sociologically. Separate management and regulation already exists for other species within the same family, such as trout.

Would you support separating Largemouth and Smallmouth Bass regulations and management, allowing them to be managed as two separate species?

90. Yes _____ No _____

QUESTION 91 – Walleye Daily Bag Limit Change, Petenwell and Castle Rock Flowages

A daily bag limit of 5 walleye on Petenwell and Castle Rock Flowages has existed for many years. This is one of the few Wisconsin fisheries open on a year round basis. In 2001 a recommendation to change the bag limit to three was proposed along with a 15"-20" slot limit with one walleye over 28". The slot limit was implemented on a trial basis in an attempt to protect female spawning during the heavy spring fishing pressure. However, DNR creel census records did not indicate the need to change the bag limit; therefore the bag limit remained unchanged at 5. As a result anglers feel that the walleye populations are declining on these two flowages of the Wisconsin River.

In 2007 an estimated 9,363 anglers fished the northern part of the flowages from March 9th to April 27th during the spring walleye spawn. Many anglers continue to fish walleye on this stretch of river throughout the summer months and again during the fall migration. It is believed that most of the anglers are harvesting their daily limit of 5 walleyes during the spring spawning season. This removes many three to five year old fish from the river system, many of which are spawning females. Of added concern, the Wisconsin River Power Company (WRPC) rapidly raises the water in early spring for run off, which in turn flushes the river system. The Federal Energy Regulatory Commission (FERC) agreement requires the WRPC to perform a spawning survey to determine the impacts to the fishery and vegetation.

Given the high harvest pressure and impacts of the WRPC actions it is felt that reducing the bag limit from 5 to 3 walleyes would benefit the walleye population on the Petenwell and Castle Rock Flowages.

Would you support a rule change to reduce the daily bag limit on Walleye from 5 fish to 3 fish on the Wisconsin River Flowages of Castle Rock and Petenwell?

91. Yes _____ No _____

How to Write a Resolution

Resolution Content

Each year the Conservation Congress accepts written resolutions from the public, in each county throughout the state regarding natural resource issues of statewide concern. These resolutions are introduced by the public in attendance during the Conservation Congress county meeting that is held annually in conjunction with the DNR Spring Fish and Wildlife Rules Hearings in April.

In order for a resolution to be accepted for further consideration by the Conservation Congress and for public vote at the annual Conservation Congress county meeting, all resolutions introduced must meet the following requirements:

1. The concern must be of statewide impact.
2. The concern must be practical, achievable and reasonable.
3. The resolution must have a clear title.
4. The resolution must clearly define the concern.
5. Current state statutes and laws must be considered, with reasonable cause for change being presented.
6. The resolution must clearly suggest a solution to the concern and a description of further action desired.

NOTE: If the resolution defines an unresolved concern at the local county level, or district level within your Congress district (see District Map, page 38). Please make sure to indicate whether or not you have already spoken with local department staff and your local county congress delegates.

Resolution Format

- ✓ The resolutions must be typed or legible hand written 8 ½ x 11 white paper.
- ✓ Resolutions must be 250 words or less, on one side of an 8 ½ x 11 white sheet of paper and there will be no attachments or additional sheets accepted for the same resolution.
- ✓ The author's name, mailing address, county, telephone number and signature is required to be at the bottom of the resolution.

Resolution Presentation

- Only the individual author or designated representative may present the resolution within the county. The author or designated representative must be present at the time the resolution is introduced.
- No more than two resolutions may be introduced by any person during the Congress portion of the Spring Hearings.
- Written resolutions not meeting the above criteria and/or verbal resolutions will not be accepted.
- Provide the Congress County Chair with **TWO COPIES** of the resolution for submission at the beginning of the evening, one to be part of the official record and the other to be posted for public viewing.
- Individuals in attendance at the meeting can vote on the resolution being introduced within the county.

Sample Resolution

Title: Spring Dinosaur Hunting Season

The Problem:

Dinosaurs are a threat to agriculture across the state, especially in April and May, because they make deep footprints in newly planted farm fields, damaging the emerging crops. The problem is aggravated in southern Wisconsin, because dinosaurs are migrating across the state line to avoid hunting pressure in Illinois.

There is already an overpopulation of dinosaurs in Wisconsin.

At present, state law does not permit dinosaur hunting at any time during the year. We feel that Wisconsin law should be consistent with Illinois, which permits dinosaur hunting in the spring.

Wisconsin farmers are suffering significant crop damage because of dinosaur incursions.

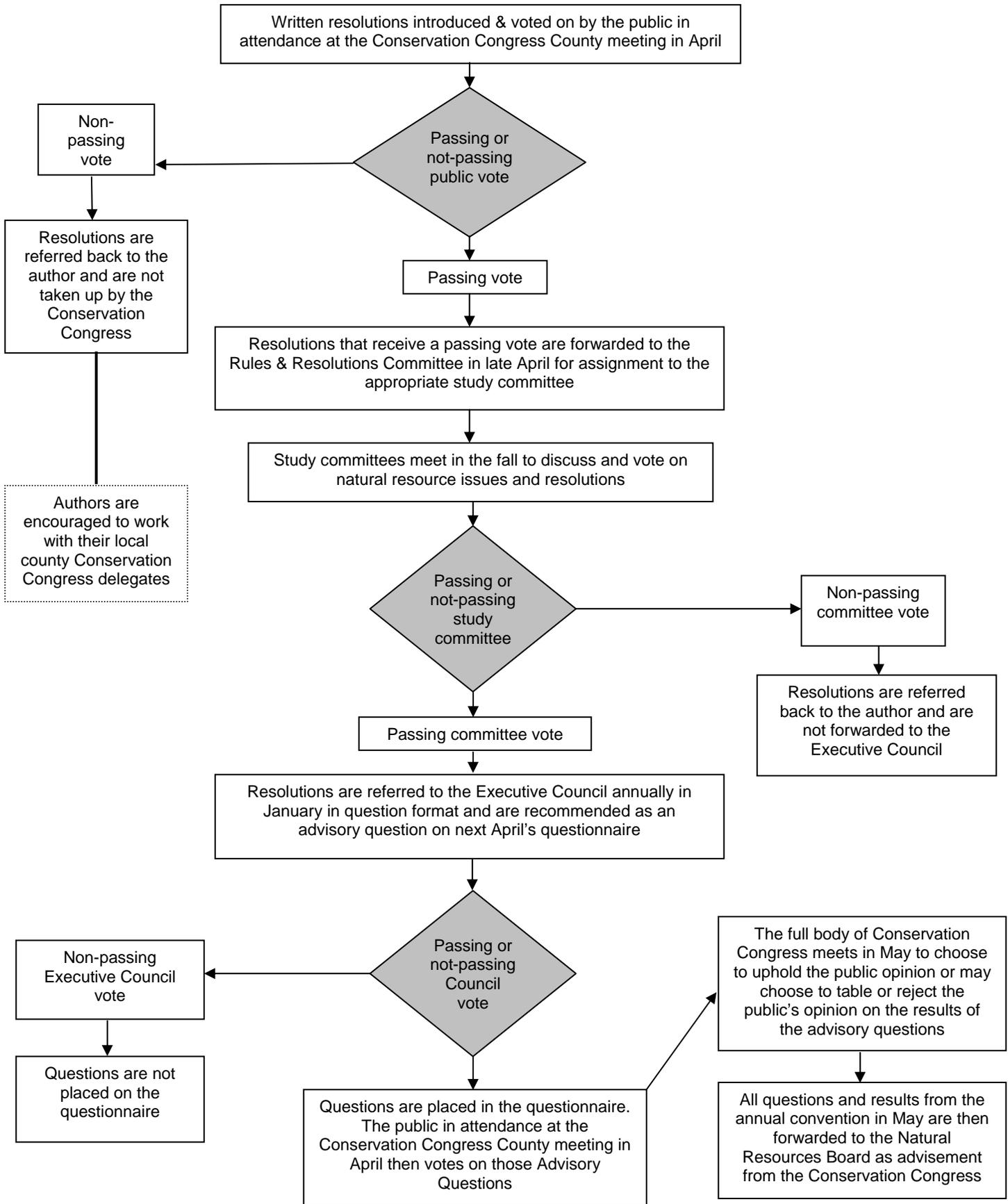
BE IT RESOLVED, that the Conservation Congress at its annual meeting held in Buffalo County on April 16, 2007 recommends that the Conservation Congress work with the Department to take action to correct this situation by introducing rule change allowing a spring dinosaur hunting season.

Name of Author: Fred Flintstone
Name of Organization (*optional*): Private Citizen
Address: W12345 State Road 3
City, State, Zip Code: Bedrock, Wisconsin 54231
Name of the County Introducing In: Buffalo

Telephone Number (*including area code*): 123-456-0789

See DNR
Rules
Process

The Conservation Congress Resolution Process



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

The Wisconsin Natural Resources Board proposes an order to repeal NR 20.20(4)(h)7. and 8.; to amend NR 19.025(3)(a) and (5)(a), 19.275(3)(a), 19.30, 20.06(10), 20.16(1)(b)2., 20.20(1)(a), (c), (cm), (d) and (h)1., 20.20(2)(bm), 20.20(2)(g)3., 20.20(3)(f)1., 20.20(7)(c), 20.20(16)(g), 20.20(26)(g)3., 20.20(29)(a), (c), (cm), (d) and (h), 20.20(32)(c), (d), and (g), 20.20(35)(a), (b), (c), (d), and (g), 20.20(37)(a), (c), (e)2. and (i), 20.20(42)(b), (c), and (f), 20.20(44)(b)1. and 2., (d)1. and (g)1., 20.20(49)(f), 20.20(50)(a), (b)1., (cm), (d)3., and (h), 20.20(51)(bg), 20.20(55)(bg), 20.20(56)(i), 20.20(57)(c), 20.20(64) (h), 20.20(67)(a)2., 20.20(68)(a)2., 20.20(72)(a), (c), (cm), (d) and (h), 20.20(73)(h)6. and (o)6., 24.09 and 24.10; and to create NR 19.27(4)(a)1.d, 20.20(36)(am) and 20.20(64)(d)4., relating to fishing and clamming on the inland, outlying, and boundary waters of Wisconsin.

FH-01-09

Analysis Prepared by the Department of Natural Resources

1. Statutes Interpreted: In promulgating this rule, ss. 29.014(1), 29.039, 29.041, 29.053, 29.531 and, 29.533, Stats., which authorize fishing, and 29.537, which authorizes clamming, have been interpreted as giving the department the authority to make changes to fishing and clamming regulations on inland and boundary waters of Wisconsin.

2. Statutory Authority: Sections 29.014(1), 29.039, 29.041, 29.053, 29.537 and 227.11(2)(a), Stats.

3. Explanation of Agency Authority to Promulgate the Proposed Rules Under the Statutory Authority: Sections 29.014(1), 29.039, 29.041, 29.053 and 29.537, Stats., grant rule making authority to the department to establish and maintain open and closed seasons for fish, clams and game and any bag limits, size limits, rest days and conditions governing the taking of fish, clams and game that will conserve the fish, clams, and game supply and ensure the citizens of this state continued opportunities for good fishing, hunting and trapping; grant that the department may establish limitations relating to taking, possession, transportation, processing, and sale or offer for sale, of nongame species; and provide that the department may regulate hunting and fishing on and in all interstate boundary waters, and outlying waters. Section 227.11(2)(a), Stats., expressly confers rulemaking authority on the department to promulgate rules interpreting any statute enforced or administered by it, if the agency considers it necessary to effectuate the purpose of the statute.

4. Related Rule or Statute: None.

5. Plain Language Rule Analysis:

- Sections 1, 2, and 3 would allow the department to conduct criminal history background checks on individuals who want to serve as department-sponsored volunteer angler education instructor or a mentor as part of a department sponsored or approved learn-to-hunt program. These instructors often and primarily serve as instructors for youth. Similar to the hunter, boater, snowmobile, ATV and trapper education volunteer instructor programs, it is important that we make sure we are not providing the opportunity for any individual who is not allowed to associate with children or who has been convicted of an illegal act involving children, from having the opportunity to work with children during the angler education programs conducted by DNR. This proposal would also remove the condition that a mentor for fishing programs may not serve as a mentor for more than 3 anglers and clarify that the applicant, instructors and mentors need to possess a valid fishing license. Section 1 will also reduce the 30 day advanced notice for applications for fishing programs to 15 days.
- Section 4 clarifies that either a small game or a fishing license is a valid approval for taking crayfish as they are the licenses most related to the activities of harvesting these species. This is similar to what is required for taking turtles.
- Section 5 clarifies that any line or device used for fishing must be under the control of the angler with a tethered line that allows for the retrieval of the device and attached hook and line, and explicitly states that remote-controlled fishing devices must also be tethered or connected to a line of which the angler has control.
- Section 6 removes a requirement that barbless hooks must be used during the early, catch-and-release inland trout season. Barbed hooks would be permissible, but artificial lures only would still be required.
- Sections 7, 8, 15, 16, 17, 19, 20, 21, 23, 24, 25, 27 and 32 clarify the boundaries of the Wisconsin river from its origin downstream to the southern Columbia county line as "Wisconsin river, including bayous, sloughs, and flowages upstream to the first dam or highway bridge." This wording is similar to wording currently in place for the Wisconsin river from the southern Columbia county line downstream to the mouth of the river, and affects waters in Adams, Juneau, Lincoln, Marathon, Oneida, Portage, and Wood counties. In Juneau, Lincoln, Marathon, and Portage counties additional language is used to further clarify the boundaries of the Wisconsin river and its flowages. These sections also include similar wording for the Chippewa river, East fork of the Chippewa river, the North and South forks of the Flambeau river, LaCrosse river, Lemonweir river, and Yellow river in Ashland, Juneau, LaCrosse, Monroe, Price, Rusk, and Sawyer counties.
- Section 9 sets a minimum length restriction for walleye in Upper Clam lake (Ashland county) of 15 inches.
- Section 10 increases the minimum length restriction for walleye in Beaver Dam lake (Barron county) from 15 inches to 18 inches, and reduces the daily angler bag limit for walleye from 5 fish to 3 fish.
- Section 11 creates an annual open season for trout in Balsam pond and Beaver, Little Star, Nymphia, and Overby (Blaisdell) lakes (Bayfield county), where the seasons in these lakes are currently closed every other year. The annual open season will be between the first Saturday in May and September 30.
- Section 12 removes the 14 inch minimum length restriction for largemouth and smallmouth bass in Lake 26 (Burnett county).
- Section 13 extends the end of open season for trout in Anderson lake (Douglas county) from September 30 to the first Sunday in March.
- Section 14 sets a minimum length restriction for walleye in Bearskull, Fisher, Owl, and Upper and Lower Springstead lakes (Iron county) of 15 inches.
- Section 18 increases the minimum size restriction for northern pike in Silver lake (Manitowoc county) from 26 to 32 inches and reduces the daily angler bag limit from 2 to 1.
- Section 21 also corrects an administrative error which improperly lists the minimum length restriction for walleye in the Wisconsin river downstream from the St. Regis dam in Rhinelander (Oneida county) as none rather than 15 inches.
- Section 21 also increases the minimum length restriction for largemouth and smallmouth bass in Burrows lake (Oneida county) from 14 inches to 18 inches, and decreases the daily angler bag limit from 5 to 1.
- Section 22 increases the minimum length restriction for walleye in Big Round lake (Polk county) from 15 inches to 18 inches, and reduces the daily angler bag limit for walleye from 5 fish to 3 fish.
- Section 26 replaces the current 9 inch minimum length restriction for trout in Manley creek (Sauk county) with a 9 inch maximum size restriction. This rule will expire 10 years after implementation.

- Section 28 increases the minimum size restriction for muskellunge in Big Sand, Kentuck, and Long lakes (Vilas county) from 34 inches to 50 inches.
- Section 29 increases the minimum size restriction for walleye in Dead Pike lake (Vilas county) from none to 18 inches, and reduces the daily angler bag limit from 5 to 3.
- Section 29 also removes the current 15 inch minimum size restriction for walleye in North Twin and South Twin lakes (Vilas county), but stipulates that walleye between 14 and 18 inches may not be kept, and only 1 walleye larger than 18 inches may be part of an angler's 3 fish daily bag limit.
- Section 29 also increases the minimum length restriction for walleye in White Sand (T42 N R7E S27) and Long lakes (Vilas county) from 15 inches to 18 inches, and reduces the daily angler bag limit for walleye from 5 fish to 3 fish, and also corrects an administrative error which improperly lists the closing date of the open angling season for walleye as March 1 rather than the first Sunday in March.
- Sections 30 and 31 add Regner (Washington county) and Foxbrook (Waukesha county) ponds to the state's urban fishing program, in which there is a continuous open season but only persons under 16 years of age or disabled pursuant to s. 29.193 (3) (a), (b) or (c), Stats., may fish from the second Saturday in March to but not including the last Saturday in April, and in which persons may possess 1 largemouth bass, smallmouth bass, northern pike, walleye, sauger or hybrid in total; 10 panfish and bullheads in total; 3 trout and salmon in total, and an unlimited number of rough fish.
- Section 33 corrects an administrative error regarding possession of minnows.
- Section 34 specifies that the total daily bag limit for walleye, sauger, and walleye-sauger hybrids is 5 in lake Winnebago system waters, of which only 1 may be a sauger or hybrid.
- Section 35 closes recreational and commercial clamming and prohibits collection of dead shell in the St. Croix river where it forms the boundary between Wisconsin and Minnesota, and prohibits collection of dead shell from waters within the St. Croix National Scenic Riverway. This standardizes rules between Wisconsin, Minnesota, and the National Park Service in these waters.
- Section 35 also prohibits commercial clamming in the St. Louis River where it forms the boundary between Wisconsin and Minnesota.

6. Summary of and Comparison with Existing or Proposed Federal Regulations: None known.

7. Comparison of Similar Rules in Adjacent States: Fisheries management is generally quite similar in the states surrounding Wisconsin. Each bordering state regulates fishing by the use of seasons, bag limits and size limits. Specific seasons, bag and size limits may differ for species across the surrounding states; however, the general principles are similar. Michigan, Minnesota, Iowa and Illinois all have statewide seasons, bag and size limits for fish species, along with special or experimental regulations on individual waters.

8. Summary of Factual Data and Analytical Methodologies Used in Support of the Rule: Rule proposals were developed by fisheries and law enforcement staff to address management and enforcement concerns. Proposals were reviewed for need and adequacy, and approved by a fish team or law enforcement team supervisor and forwarded to regional director for approval. Proposals approved by the regions were forwarded to the Fisheries Management Bureau Director, who conducted a review with the Fisheries Management Board, law enforcement, legal services, the Wisconsin Conservation Congress, and the Great Lakes Indian Fish and Wildlife Commission. Only proposals approved by the Fisheries Management Bureau Director are included.

9. Analysis and Documentation Used in Support of the Agency's Determination Under s. 227.114, Stats., (Small Business Impact): The proposed rules do not apply directly to businesses, but to sport anglers.

10. Effect on Small Business, Including How the Rule Will Be Enforced: The proposed rules do not impose any compliance or reporting requirements on small businesses nor are any design or operational standards contained in the rule. The rule will eliminate the opportunity for commercial clamming operations in the St. Louis and St. Croix Rivers, but no individuals have been operating in these waters in more than 10 years. The rules will be enforced by Conservation Wardens who have arrest powers and may use citations.

11. Agency contact person: Joseph Hennessy, FM/4 , 101 South Webster Street, Madison, WI 53707-7921; email: Joseph.Hennessy@wisconsin.gov; phone: 608.267.9427.

12. Place where comments are to be submitted and deadline for submission: The deadline for written comments is April 15, 2009. Comments may also be submitted electronically at the following internet site: <http://adminrules.wisconsin.gov>

SECTION 1. NR 19.025(3)(a) and (5)(a) are amended to read:

NR 19.025 Waivers for an educational recreational activity.

(3) GENERAL; CONDITIONS, LIMITATIONS AND RESTRICTIONS.

(a) An applicant shall submit a request for a waiver at least 30 days prior to a hunting or trapping the event and 15 days before a fishing event . The department may waive the 15 day period for fishing events when the department determines it is not required to conduct criminal history, character or background checks. All applications shall be submitted on forms provided by the department.

(5) SPECIAL FISHING CONDITIONS, LIMITATIONS AND RESTRICTIONS.

(a) Except as provided in par. (b), the applicant, instructors and mentors shall possess a valid fishing approval. During the field portion of the fishing activity there may be no more than 3 novice participants per mentor.

SECTION 2. NR 19.30 is amended to read:

NR 19.30 Criminal history checks; volunteer safety instructors. Whenever application is made to the department by a person interested in becoming certified to instruct as a volunteer all-terrain vehicle, boating, bow hunter, hunter education, Wisconsin cooperative trapper education program or snowmobile safety instructor, the bureau of law enforcement shall conduct a criminal history, character and background check on the applicant. Notwithstanding s. NR 19.025, the bureau of law enforcement shall conduct a background check on any person who applies to serve as an angler or aquatic education instructor, or an educational outdoor skills activity mentor under s. 19.025. Upon becoming aware of information indicating prior illegal activity, the department shall make appropriate inquiry into criminal history and character of instructor or mentoring applicants and determine their suitability for the proposed activity.

SECTION 3. NR 19.27(4)(a)1.d is created to read:

NR 19.27(4) ADDITIONAL RESTRICTIONS.

(a) Crayfish.

1. `Prohibitions.' No person may:

d. Take, possess or control a crayfish unless the person is in possession of a valid approval which authorizes the hunting of small game or which authorize fishing, unless otherwise exempt from the need to possess one of more of these approvals to hunt or fish under ch. 29, Stats.

SECTION 4. NR 19.275(3)(a) is amended to read:

NR 19.275(3)(a)

(3) ADDITIONAL RESTRICTIONS. No person may do any of the following:

(a) Take, possess or control a turtle unless the person is in possession of a valid approval issued under s. ~~29.624, 29.161, 29.204, 29.207, 29.231 or 29.235, Stats.,~~ which authorizes the hunting of small game, or an approval issued under s. ~~29.624, 29.228, 29.210, 29.231, 29.235, 29.531, or 29.533, Stats.,~~ which authorize fishing, unless otherwise exempt from the need to possess one of more of these approvals to hunt or fish under ch. 29, Stats.

SECTION 5. NR 20.06(10) is amended to read:

NR 20.06(10)

(10) Fish in open water with a free-floating, remote controlled or anchored buoyant device with attached hook and line that is not held or otherwise controlled by the angler with the use of a line.

Note: This method is commonly known as jug fishing.

SECTION 6. NR 20.16(1)(b)2. is amended to read:

NR 20.16(1)(b)2.

2. No person may use any hooks, baits or lures other than artificial lures ~~with barbless hooks~~ while fishing for any species of fish on trout streams specified in par. (a).

SECTION 7. NR 20.20(1)(a), (c), (cm), (d) and (h)1. are amended to read:

(1) ADAMS (for species or waters not listed, see sub. (73))

(a) All species	1. Mason lake; Wisconsin river including sloughs, bayous and flowages <u>upstream to the first dam or highway bridge.</u>	a. Motor trolling is permitted	As specified in this subsection or sub. (73)	As specified in this subsection or sub. (73)	As specified in this subsection or sub. (73)
(c) Largemouth and smallmouth bass	1. Wisconsin river including sloughs, bayous and flowages <u>upstream to the first dam or highway bridge.</u>	a. Hook and line.	Continuous	5 in total	14
(cm) muskellunge	1. Wisconsin river including sloughs, bayous and flowages <u>upstream to the first dam or highway bridge</u> upstream from the Castle Rock dam	a. Hook and line.	First Saturday in May to November 30	1	45
(d) Northern pike	1. Wisconsin river including sloughs, bayous and flowages <u>upstream to the first dam or highway bridge.</u>	a. Hook and line	Continuous	1	32
(h) Walleye, sauger and hybrids	1. Wisconsin river including sloughs, bayous and flowages <u>upstream to the first dam or highway bridge.</u>	a. Hook and line.	Continuous	5 in total but until March 31, 2014 none may be from 20 to 28 and only 1 may be > 28	15

SECTION 8. NR 20.20(2) (bm) is amended to read:

(2) ASHLAND (for species or waters not listed, including Lake Superior, see sub. (73))

(bm) Lake sturgeon	1. East Fork Chippewa river including sloughs, bayous and flowages <u>flowing into the Chippewa river upstream to the first highway or railroad bridge,</u> including Pelican lake, and North Fork Flambeau river including sloughs, bayous and flowages <u>flowing into the Flambeau river upstream to the first highway or railroad bridge.</u>	a. Hook and line.	First Saturday in September to September 30	1 per season	60
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SECTION 9. NR 20.20(2) (g)3. is amended to read:

(2) ASHLAND (for species or waters not listed, including Lake Superior, see sub. (73))

g) Walleye, sauger and hybrids	3. Gordon lake, Lake Galilee, Upper Clam lake , Zielke lake, North Fork Flambeau river and its tributaries upstream to the first dam or lake, Mineral lake	a. Hook and line.	First Saturday in May to the first Sunday in March	5 in total but only 1 may be longer than 14	None
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SECTION 10. NR 20.20(3)(f)1. is amended to read:

(3) BARRON (for species or waters not listed, see sub. (73))

(f) Walleye, sauger and hybrids	1. Red Cedar lake, Hemlock lake, <u>Beaver Dam lake</u>	a. Hook and line	First Saturday in May to the first Sunday in March	3 in total	18
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SECTION 11. NR 20.20(4)(h)7. and 8. are repealed.

SECTION 12. NR 20.20(7)(c) is amended to read:

(7) BURNETT (for species or waters not listed, see sub. (73))

c) Largemouth and smallmouth bass	1. Webb lake	a. Hook and line.	First Saturday in May to the first Sunday in March	5 in total	14
	<u>2. Twenty-six lake</u>	<u>a. Hook and line.</u>	<u>First Saturday in May to the first Sunday in March</u>	<u>5 in total</u>	<u>None</u>

SECTION 13. NR 20.20(16)(g) is amended to read:

(16) DOUGLAS (for species or waters not listed, including Lake Superior, see sub. (73)). Note: Allouez bay, Little Pokegama bay, Kimballs bay and Pokegama bay are considered part of the St. Louis river, a Wisconsin-Minnesota boundary water. See chapter NR 21. The Nemadji river is an inland water that is contiguous with these Wisconsin-Minnesota boundary waters but is regulated under this subsection.

(g) Trout and salmon	1. Brule river downstream from U.S. hwy. 2, Amnicon river downstream from Amnicon falls, Middle river downstream from U.S. hwy. 2, Nemadji river downstream from Great Northern railroad bridge, Black river downstream from Big Manitou falls, Poplar river downstream from U.S. hwy. 2, St. Louis river downstream from the Wisconsin-Minnesota state line	a. Hook and line. Fishing is prohibited from one-half hour after sunset to one-half hour before sunrise on the Brule river.	Last Saturday in March to November 15	5 in total but only 2 may be brown trout longer than 15 and only 1 may be a rainbow trout	Brook trout 8, brown trout 10, salmon 12, rainbow trout 26
	2. Bois Brule river from CTH S to CTH B	a. Hook and line. Only artificial lures may be used.	First Saturday in May at 5:00 a.m. to September 30	3 in total but only 2 may be brown trout and only 1 may be a rainbow trout	Brook trout 10, brown trout 15, salmon 12, rainbow trout 26
	3. All other tributaries and portions of tributaries to Lake Superior not listed above	a. Hook and line	First Saturday in May at 5:00 a.m. to September 30	5 in total but only 2 may be brown trout longer than 15 ² and only 1 may be a rainbow trout	Brook trout 8, brown trout 10, salmon 12, rainbow trout 26
	4. Eau Claire river	a. Hook and line	First Saturday in May at 5:00 a.m. to September 30	3 in total	9
	<u>5. Anderson lake</u>	<u>a. Hook and line</u>	<u>First Saturday in May at 5:00 a.m. to the first Sunday in March</u>	<u>5 in total</u>	<u>7</u>
	<u>56. All other waters not listed except Lake Superior</u>	a. Hook and line	First Saturday in May at 5:00 a.m. to September 30	5 in total	7

SECTION 14. NR 20.20(26)(g)3. is amended to read:

(26) IRON (for species or waters not listed, including Lake Superior, see sub. (73))

g) Walleye, sauger and hybrids	3. Bearskull lake, Catherine lake, Cedar lake, Echo lake, Fisher lake, Gile flowage, Island lake, Little Oxbow lake, Lower Springstead lake, Owl lake, Oxbow lake, Pine lake, Randall lake, Sandy Beach lake, Sherman lake, Spider lake, Upper Springstead lake, North Fork Flambeau river and its tributaries, West Branch Montreal river, Turtle river upstream from Echo lake	a. Hook and line.	First Saturday in May to the first Sunday in March	5 in total but only 1 may be longer than 14-	None
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SECTION 15. NR 20.20(29) (a), (c), (cm), (d) and (h) are amended to read:

(29) JUNEAU (for species and waters not listed, see sub. (73))

(a) All species	1. Kilburn flowage, Wisconsin river and its sloughs, bayous and flowages <u>upstream to the first dam or highway bridge, including only that portion of Castle Rock flowage south of the county highway G bridge.</u>	a. Motor trolling is permitted.	As specified in this subsection or sub. (73)	As specified in this subsection or sub. (73)	As specified in this subsection or sub. (73)
(c) Largemouth and smallmouth bass	1. Yellow river and sloughs, bayous and flowages <u>upstream to the first dam or highway bridge, Lemonweir river and sloughs, bayous and flowages upstream to the first dam or highway bridge, Wisconsin river and sloughs, bayous and flowages upstream to the first dam or highway bridge, except the western boundary of the Wisconsin River on Lake Petenwell is County Highway G.</u>	a. Hook and line.	Continuous	5 in total	14
(cm) Muskellunge	1. Wisconsin river including sloughs, bayous and flowages, <u>upstream to the first dam or highway bridge</u> upstream from the Castle Rock dam, <u>except the western boundary of the Wisconsin River on Lake Petenwell is County Highway G</u>	a. Hook and line	First Saturday in May to November 30	1	45
(d) Northern pike	1. Wisconsin river and its flowages <u>upstream to the first dam or highway bridge, except the western boundary of the Wisconsin River on Lake Petenwell is County Highway G.</u>	a. Hook and line.	Continuous	1	32
	2. Yellow river and sloughs, bayous and flowages, <u>upstream to the first dam or highway bridge, Lemonweir river and sloughs, bayous and flowages, upstream to the first dam or highway bridge</u>	a. Hook and line.	Continuous	2	26
(h) Walleye, sauger and hybrids	1. Yellow river and its sloughs, bayous and flowages, <u>upstream to the first dam or highway bridge</u> Lemonweir river and its sloughs, bayous and flowages, <u>upstream to the first dam or highway bridge, Wisconsin river and its sloughs, bayous and flowages, upstream to the first dam or highway bridge, except the western boundary of the Wisconsin River on Lake Petenwell is County Highway G.</u>	a. Hook and line.	Continuous	5 in total but until March 31, 2014 none may be from 20 to 28 and only 1 may be > 28	15

SECTION 16. NR 20.20(32) (c), (d) and (g) are amended to read:

(32) LA CROSSE (for species and waters not listed, see sub. (73))

(c) Largemouth and	1. La Crosse river including sloughs and	a. Hook and line	Continuous	5 in total	14
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smallmouth bass	bayous <u>upstream to the first dam or highway bridge</u> from Lake Neshonoc dam downstream to the Burlington Northern and Santa Fe railroad tracks					
(d) Northern pike	1. La Crosse river including sloughs and bayous <u>upstream to the first dam or highway bridge</u> from Lake Neshonoc dam downstream to the Burlington Northern and Santa Fe railroad tracks	a. Hook and line	Continuous	2		26
(g) Walleye, sauger and hybrids	1. La Crosse river including sloughs and bayous <u>upstream to the first dam or highway bridge</u> from Lake Neshonoc dam downstream to the Burlington Northern and Santa Fe railroad tracks	a. Hook and line	Continuous	5 in total		15

SECTION 17. NR 20.20(35) (a), (b), (c), (d) and (g) are amended to read:

(35) LINCOLN (for species or waters not listed, see sub. (73))

(a) All species	1. Spirit River flowage, Wisconsin river downstream from CTH A including sloughs, bayous and flowages <u>upstream to the first dam or highway bridge</u> , except Lake Mohawksin	a. Motor trolling is permitted	As specified in this subsection or sub. (73)	As specified in this subsection or sub. (73)		As specified in this subsection or sub. (73)
(b) Largemouth and smallmouth bass	1. Wisconsin river including sloughs, bayous, and flowages <u>upstream to the first dam or highway bridge, except the boundary of the Wisconsin and Somo rivers is the Tomahawk Railway Railroad bridge on the west side of lake Mohawksin, the boundary of the Wisconsin and Tomahawk rivers is the Canadian National Railroad bridge nearest Baymill road, and the boundary of the Wisconsin and Spirit rivers is the confluence of the Spirit river with the Wisconsin river located one mile south of the Spirit river dam</u>	a. Hook and line	Continuous	5 in total		14
(c) Muskellunge	1. Deer lake, Nokomis lake, Rice River flowage, Wisconsin river <u>including sloughs, bayous, and flowages upstream to the first dam or highway bridge</u> downstream from Merrill hydro-dam	a. Hook and line.	Saturday nearest Memorial Day to November 30	1		40
(d) Northern pike	1. Wisconsin river including sloughs, bayous and flowages <u>upstream to the first dam or highway bridge, except the boundary of the Wisconsin and Somo rivers is the Tomahawk Railway Railroad bridge on the west side of lake Mohawksin, the boundary of the Wisconsin and Tomahawk rivers is the Canadian National Railroad bridge nearest Baymill road, and the boundary of the Wisconsin and Spirit rivers is the confluence of the Spirit river with the Wisconsin river located one mile south of the Spirit river dam.</u>	a. Hook and line	Continuous	5		None
(g) Walleye, sauger and hybrids	1. Wisconsin river upstream from Grandfather dam including sloughs, bayous and flowages <u>upstream to the first dam or highway bridge, except the boundary of the Wisconsin and Somo rivers is the Tomahawk Railway Railroad bridge on the west side of lake Mohawksin, the boundary of the Wisconsin and Tomahawk rivers is the Canadian National Railroad bridge nearest Baymill road, and the boundary of the Wisconsin and</u>	a. Hook and line	Continuous	5 in total		15

Spirit rivers is the confluence of the Spirit river with the Wisconsin river located one mile south of the Spirit river dam.

1m. Wisconsin river downstream from Grandfather dam including sloughs, bayous and flowages upstream to the first dam or highway bridge, except the boundary of the Wisconsin and Somo rivers is the Tomahawk Railway Railroad bridge on the west side of lake Mohawksin, the boundary of the Wisconsin and Tomahawk rivers is the Canadian National Railroad bridge nearest Baymill road, and the boundary of the Wisconsin and Spirit rivers is the confluence of the Spirit river with the Wisconsin river located one mile south of the Spirit river dam.

a. Hook and line. Continuous 5 in total but until 15 March 31, 2014 none may be from 20 to 28 and only 1 may be > 28

SECTION 18. NR 20.20(36)(am) is created to read:

(36) MANITOWOC (for species or waters not listed, including Lake Michigan and its tributaries, see sub. (73))

<u>(am) Northern pike</u>	<u>1. Silver lake</u>	<u>a. Hook and line.</u>	<u>First Saturday in May to the first Sunday in March</u>	<u>1 in total</u>	<u>32</u>
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SECTION 19. NR 20.20 (37)(a), (c), (e)(2), and (i) are amended to read:

(37) MARATHON (for species and waters not listed, see sub. (73))

(a) All species	1. Big Eau Pleine reservoir upstream to the first state hwy. 153 bridge, Wisconsin river including sloughs, bayous and flowages <u>upstream to the first dam or highway bridge, except the eastern boundary of the Wisconsin River and Peplin and Johnson Creeks and the Little Eau Claire River, at Lake DuBay, is the South-Bound Lane of Interstate 39.</u>	a. Motor trolling is permitted	As specified in this subsection or sub. (73)	As specified in this subsection or sub. (73)	As specified in this subsection or sub. (73)
(c) Largemouth and smallmouth bass	1. Wisconsin river including all sloughs, bayous and flowages <u>upstream to the first dam or highway bridge, except the eastern boundary of the Wisconsin River and Peplin and Johnson Creeks and the Little Eau Claire River, at Lake DuBay, is the South-Bound Lane of Interstate 39.</u>	a. Hook and line	Continuous	5 in total	14
(e) Northern pike	1. Big Eau Pleine reservoir	a. Hook and line	First Saturday in May to the first Sunday in March	1	32
	2. Wisconsin river including all sloughs, bayous and flowages <u>upstream to the first dam or highway bridge, except the eastern boundary of the Wisconsin River and Peplin and Johnson Creeks and the Little Eau Claire River, at Lake DuBay, is the South-Bound Lane of Interstate 39.</u>	a. Hook and line	Continuous	5	None
i) Walleye, sauger and hybrids	1. Wisconsin river including <u>all</u> sloughs, bayous and flowages <u>upstream to the first dam or highway bridge, except the eastern boundary of the Wisconsin River and Peplin and Johnson Creeks and the Little Eau Claire River, at Lake DuBay, is the South-Bound Lane of Interstate 39.</u>	a. Hook and line.	Continuous	5 in total but until 15 March 31, 2014 none may be from 20 to 28 and only 1 may be > 28	15

SECTION 20. NR 20.20(42) (b), (c) and (f) are amended to read:

(42) MONROE (for species and waters not listed, see sub. (73))

(b) Largemouth and smallmouth bass	1. Lemonweir river including all connecting flowages, bays, sloughs and bayous <u>upstream to the first dam or bridge or water control structure</u> , east fork Lemonweir river upstream to highway 173 bridge, south fork Lemonweir river upstream to Tomah dam	a. Hook and line.	Continuous	5 in total	14
(c) Northern pike	1. Lemonweir river including all connecting flowages, bays, sloughs and bayous <u>upstream to the first dam or bridge or water control structure</u> , east fork Lemonweir river upstream to highway 173 bridge, south fork Lemonweir river upstream to Tomah dam	a. Hook and line.	Continuous	2	26
(f) Walleye, sauger and hybrids	1. Lemonweir river including all connecting flowages, bays, sloughs and bayous <u>upstream to the first dam or bridge or water control structure</u> , east fork Lemonweir river upstream to highway 173 bridge, south fork Lemonweir river upstream to Tomah dam	a. Hook and line.	Continuous	5 in total but until March 31, 2007 none may be from 20 to 28 and only 1 may be > 28	15

SECTION 21. NR 20.20(44)(b)1., (b)2., (d)1. and (g)1. are amended to read:

(44) ONEIDA (for species or waters not listed, see sub. (73))

(b) Largemouth and smallmouth bass	1. Wisconsin river and sloughs, bayous and flowages <u>upstream to the first dam or highway bridge</u> , downstream from the St. Regis dam in Rhinelander	a. Hook and line.	Continuous	5 in total	14
	2. Bearskin lake, Crescent lake, Pelican lake, Stella lake, <u>Burrows lake</u>	a. Hook and line.	First Saturday in May to Friday preceding third Saturday in June	0	--
			Third Saturday in June to the first Sunday in March	1 in total	18
(d) Northern pike	1. Wisconsin river and sloughs, bayous and flowages <u>upstream to the first dam or highway bridge</u> , downstream from the St. Regis dam in Rhinelander	a. Hook and line.	Continuous	5	None
(g) Walleye, sauger and hybrids	1. Wisconsin river and sloughs, bayous and flowages <u>upstream to the first dam or highway bridge</u> , downstream from the St. Regis dam in Rhinelander	a. Hook and line.	Continuous	5 in total	None, pursuant to s. NR 20.35-15

SECTION 22. NR 20.20(49)(f) is amended to read:

(49) POLK (for species or waters not listed, see sub. (73))

(f) Walleye, sauger and hybrids	1. Cedar lake	a. Hook and line	First Saturday in May to the first Sunday in March	3 in total but only 1 may be larger than 18	None except the possession of fish from 14 through 18 is prohibited
	2. <u>Big Round lake</u>	<u>a. Hook and line</u>	<u>First Saturday in May to the first Sunday in March</u>	<u>3</u>	<u>18</u>

SECTION 23. NR 20.20(50)(a), (b)1., (cm), (d)3. and (h) are amended to read:

(50) PORTAGE (for species or waters not listed, see sub. (73))

(a) All species	1. Little Eau Pleine flowage upstream to the first county hwy. O bridge, Wisconsin river including sloughs, bayous and flowages <u>upstream to the first dam or highway bridge, except that the eastern boundary of the Wisconsin River and the Little Eau Claire River, at Lake DuBay, will be defined by the South-Bound Lane of Interstate 39.</u>	a. Motor trolling is permitted	As specified in this subsection or sub. (73)		As specified in this subsection or sub. (73)	As specified in this subsection or sub. (73)
(b) Largemouth and smallmouth bass	1. Wisconsin river including sloughs, bayous and flowages <u>upstream to the first dam or highway bridge</u> from Stevens Point Flowage dam to Al-Tech Park spillway	a. Hook and line	Continuous		1 in total	18
	2. Jacqueline lake	a. Hook and line	First Saturday in May to the first Sunday in March	1 in total		18
	3. Bass lake, Pleasant lake, portions of the Wisconsin river not listed in this paragraph, including sloughs, bayous and flowages <u>upstream to the first dam or highway bridge except that the eastern boundary of the Wisconsin River and the Little Eau Claire River, at Lake DuBay, will be defined by the South-Bound Lane of Interstate 39</u>	a. Hook and line	Continuous	5 in total		14
(cm) Muskellunge	1. Wisconsin river including sloughs, bayous and flowages <u>upstream to the first dam or highway bridge, except that the eastern boundary of the Wisconsin River and the Little Eau Claire River, at Lake DuBay, will be defined by the South-Bound Lane of Interstate 39, north of U.S. hwy. 10.</u>	a. Hook and line	Saturday nearest Memorial Day to November 30	1		45
	2. Wisconsin river including sloughs, bayous and flowages <u>upstream to the first dam or highway bridge, south of U.S. hwy. 10.</u>	a. Hook and line	First Saturday in May to November 30	1		45
(d) Northern pike	3. Wisconsin river downstream from the Lake DuBay dam including all sloughs, bayous and flowages <u>upstream to the first dam or highway bridge, except that the eastern boundary of the Wisconsin River and the Little Eau Claire River, at Lake DuBay, will be defined by the South-Bound</u>	a. Hook and line	Continuous	1		32

Lane of Interstate 39.

(h) Walleye, sauger and hybrids	1. Bass lake, Pleasant lake	a. Hook and Continuous line	5 in total	15
	2. Wisconsin river including sloughs, bayous and flowages <u>upstream to the first dam or highway bridge except that the eastern boundary of the Wisconsin River and the Little Eau Claire River, at Lake DuBay, will be defined by the South-Bound Lane of Interstate 39.</u>	a. Hook and Continuous line.	5 in total but until March 31, 2014 none may be from 20 to 28 and only 1 may be > 28 inches	15

SECTION 24. NR 20.20(51)(bg) is amended to read:

(51) PRICE (for species or waters not listed, see sub. (73))

(bg) Lake sturgeon	1. Butternut lake, North Fork Flambeau river including sloughs, bayous and flowages <u>upstream to the first dam or highway bridge</u> , South Fork Flambeau river including sloughs, bayous and flowages <u>upstream to the first dam or highway bridge</u> , Jump river downstream from the confluence of the north and south forks.	a. Hook and line. Tag required (see s. NR 20.07).	First Saturday in September to September 30	1 per season	60
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SECTION 25. NR 20.20(55)(bg) is amended to read:

(55) RUSK (for species or waters not listed, see sub. (73))

(bg) Lake sturgeon	1. Chippewa river including sloughs, bayous and flowages <u>upstream to the first dam or highway bridge</u> , Jump river, South Fork Flambeau river	a. Hook and line. Tag required (see s. NR 20.07).	First Saturday in September to September 30	1 per season	60
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SECTION 26. NR 20.20(56)(i) is amended to read:

(56) SAUK (for species or waters not listed, see sub. (73))

(i) Trout and salmon	1. Devil's lake	a. Hook and line	First Saturday in May at 5:00 a.m. to the first Sunday in March	3 in total	9
	2. Bear creek (county line upstream to CTH N and upstream from Croal Hollow road), Willow creek (upstream from county line)	a. Hook and line	First Saturday in May at 5:00 a.m. to September 30	2 in total	12
	3. Rowley creek	a. Hook and line	First Saturday in May at 5:00 a.m. to September 30	3 in total	Brown and rainbow trout 12, brook trout 8
	4. Beaver creek, Dell creek (Coon Bluff road upstream to South avenue)	a. Hook and line, only artificial lures may be used	First Saturday in May at 5:00 a.m. to September 30	All trout caught shall be immediately released	—
	5. Bear creek (CTH N upstream to Croal Hollow road)	a. Hook and line	First Saturday in May at 5:00 a.m. to September 30	All trout caught shall be immediately released	—
	6. <u>Manley creek</u>	<u>a. Hook and line</u>	<u>First Saturday in May at 5:00 a.m. to September 30</u>	<u>5 in total</u>	<u>None, but fish smaller than 9 inches may not be possessed</u>

until April 30, 2020, when the minimum size restriction reverts to 9

67. All waters not listed	a. Hook and line	First Saturday in May at 5:00 a.m. to September 30	3 in total	9
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SECTION 27. NR 20.20(57)(c) is amended to read:

(57) SAWYER (for species or waters not listed, see sub. (73))

(c) Lake sturgeon	1. Chippewa river including sloughs, bayous and flowages <u>upstream to the first dam or highway bridge</u> , including Radisson flowage, East Fork Chippewa river including sloughs, bayous and flowages <u>upstream to the first dam or highway bridge</u> , including Blaisdell lake, Hunter lake, Barker lake, West Fork Chippewa river downstream from the Moose lake dam including sloughs, bayous and flowages <u>upstream to the first dam or highway bridge</u> , including Chippewa flowage, North Fork Flambeau river including sloughs, bayous and flowages <u>upstream to the first dam or highway bridge</u> , South Fork Flambeau river including sloughs, bayous and flowages <u>upstream to the first dam or highway bridge</u> .	a. Hook and line.	First Saturday in September to September 30	1 per season	60
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SECTION 28. NR 20.20(64)(d)4. is created to read:

(64) VILAS (for species or waters not listed, see sub. (73))

(d) Muskellunge	4. <u>Big Sand lake, Kentuck lake, Long lake</u>	a. <u>Hook and line.</u>	<u>Saturday nearest Memorial day to November 30</u>	1	50
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SECTION 29. NR 20.20(64)(h) is amended to read:

(64) VILAS (for species or waters not listed, see sub. (73))

(h) Walleye, sauger and hybrids	1. Trout lake	a. Hook and line.	First Saturday in May to the first Sunday in March	3 in total	15
	2. Eagle chain (includes Catfish, Cranberry, Duck, Eagle, Lynx, Otter, Scattering Rice, Voyageur, Watersmeet including Wisconsin river from Otter Rapids dam to county highway G, Yellow birch lake, all connecting waters and Eagle river upstream to Oneida county line) <u>and North Twin, and South Twin lakes, Vilas county</u>	a. Hook and line.	First Saturday in May to the first Sunday in March	3 in total but only 1 may be longer than 18!	None except the possession of fish from 14 through 18 is prohibited
	3. Anvil, Big Portage, Forest, Lost Canoe, <u>and Plum and White Sand (T42N R7E S27) lakes, Vilas county</u>	a. Hook and line.	First Saturday in May to the first Sunday in March	5 in total but only 1 may be longer than 18!	None except the possession of fish from 14 through 18 is prohibited
	4. Alder, Averill, Big (T42N R6E S4), Big Arbor Vitae, Big Muskellunge, Birch, Boulder, Buckskin, Clear, Crab, Dead Pike , Emily, Fawn (T42N R5E S11), Fishtrap, Harris, High, Kentuck, Ike Walton, Island, Laura, Little Arbor Vitae, Little Star, Manitowish, North Crab, North Turtle, Oxbow, Presque Isle, Rest, Rock, Rush, South Turtle, Spider, Squaw, Star, Stone, Van Vliet, and Wild Rice lakes	a. Hook and line.	First Saturday in May to the first Sunday in March	5 in total but only 1 may be longer than 14!	None

5. Big Crooked (T42N R6E S12), Jenny lake, Sanford lake	a. Hook and line.	First Saturday in May to the first Sunday in March	5 in total	None
6. Big Crooked lake (T41N R5E S22), Gunlock lake, Lac du Flambeau Chain (includes Big Crawling Stone, Little Crawling Stone, Little Sand, Fence, Flambeau, Long Interlaken, Moss, North Placid, Pokegama, South Placid, To-To-Tom, White Sand (T41N R5E S27) and Whitefish lakes and all connecting waters) and Little Trout lake	a. Hook and line.	First Saturday in May to the first Sunday in March	3 in total unless otherwise posted at public boat landings pursuant to s. NR 20.37	18 unless otherwise posted at public boat landings pursuant to s. NR 20.37
8. All other waters wholly within the area commonly known as the Lac du Flambeau reservation	a. Hook and line.	First Saturday in May to the first Sunday in March	3 unless otherwise posted at public boat landings pursuant to s. NR 20.37	15 unless otherwise posted at public boat landings pursuant to s. NR 20.37
9. Sparkling lake	a. Hook and line.	First Saturday in May to the first Sunday in March	1 until March 1, 2009 when it becomes 5	28 until March 1, 2009 when it becomes 15
10. Escanaba lake	a. Hook and line.	Continuous	1 in total	28
11. <u>Found lake, Long, Dead Pike, and White Sand (T42 N R7E S27) lakes</u>	a. Hook and line.	First Saturday in May to <u>March 4 the first Sunday in March</u>	3 in total	18
12. Sherman lake	a. Hook and line.	Continuous	None	None

SECTION 30. NR 20.20(67)(a)2. is amended to read:

(67) WASHINGTON (for species or waters not listed, see sub. (73))

(a) All species	2. The following posted urban waters: Boot lake, Hartford millpond from the dam upstream to Marine drive, Homestead Hollow park pond, Kewaskum millpond from the dam upstream to STH 28, Sandy Knoll park pond, Wells lake from the dam upstream to the first dam on Silver creek, <u>Regner pond</u>	a. Hook and line.	Continuous but only persons under 16 years of age or disabled pursuant to s 29.193 (3) (a), (b) or (c), Stats., may fish from the second Saturday in March to but not including the last Saturday in April	1 largemouth bass, smallmouth bass, northern pike, walleye, sauger or hybrid in total; 10 panfish and bullheads in total; 3 trout and salmon in total; none for rough fish	None
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SECTION 31. NR 20.20(68)(a)2. is amended to read:

(68) WAUKESHA (for species or waters not listed, see sub. (73))

(a) All species	2. The following posted urban waters: Calhoun park pond, Heyer park pond north, Heyer park pond south, Lepper Dam millpond from the dam upstream to Roosevelt drive, Lions-Overland park pond, Menomonee park pond, Minooka park pond, Muskego park pond, Nixon park pond, Regal park pond, Woodfield park pond north, Woodfield park pond south, <u>Foxbrook pond</u>	a. Hook and line.	Continuous but only persons under 16 years of age or disabled pursuant to s 29.193 (3) (a), (b) or (c), Stats., may fish from the second Saturday in March to but	1 largemouth bass, smallmouth bass, northern pike, walleye, sauger or hybrid in total; 10 panfish and bullheads in total; 3 trout and salmon in total;	None
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not including the last Saturday in April none for rough fish

SECTION 32. NR 20.20(72)(a), (c), (cm), (d) and (h) are amended to read:

(72) WOOD (for species and waters not listed, see sub. (73))

(a) All species	1. Wisconsin river including <u>all sloughs, bayous and flowages upstream to the first dam or highway bridge.</u>	a. Motor trolling is permitted.	As specified in this subsection or sub. (73)	As specified in this subsection or sub. (73)	As specified in this subsection or sub. (73)
(c) Largemouth and smallmouth bass	1. Yellow river including all sloughs, bayous and flowages <u>upstream to the first dam or highway bridge</u> from the highway 54 dam at Dexterville downstream, Wisconsin river including all sloughs, bayous and flowages <u>upstream to the first dam or highway bridge.</u>	a. Hook and line.	Continuous	5 in total	14
(cm) Muskellunge	1. Wisconsin river including <u>all sloughs, bayous and flowages upstream to the first dam or highway bridge.</u>	a. Hook and line.	First Saturday in May to November 30	1	45
(d) Northern pike	1. Wisconsin river including all sloughs, bayous and flowages <u>upstream to the first dam or highway bridge</u>	a. Hook and line.	Continuous	1	32
	2. Yellow river including all sloughs, bayous and flowages <u>upstream to the first dam or highway bridge</u> , from the highway 54 dam at Dexterville downstream	a. Hook and line.	Continuous	2	26
(h) Walleye, sauger and hybrids	1. Yellow river including all sloughs, bayous and flowages <u>upstream to the first dam or highway bridge</u> from the highway 54 dam at Dexterville downstream, Wisconsin river including all sloughs, bayous and flowages <u>upstream to the first dam or highway bridge.</u>	a. Hook and line.	Continuous	5 in total but until March 31, 2014 none may be from 20 to 28 and only 1 may be > 28	15
	2. Nepco lake, Wauzeecha lake	a. Hook and line.	First Saturday in May to the first Sunday in March	3 in total	18

SECTION 33. NR 20.20(73)(h)(6) is amended to read:

(73) SPECIES OR WATERS NOT LISTED IN SUBS. (1) TO (72)

6. All other waters not listed in subs. (1) to (72) or this paragraph	a. Hook and line, minnow dip netting, minnow seining, <u>and minnow trapping, except as established under subpar. b.</u> Traps must be raised and emptied at least once every 48 hours.	Continuous	600 suckers in total	None
	b. <u>In waters listed in or identified under s. NR 20.14(9), hook and line for suckers only. Unless authorized under s. NR 19.05(3), no person may transport live suckers away from any waters of the state.</u>	Continuous	600 suckers in total	None

SECTION 34. NR 20.20(73)(o)(6) is amended to read:

(73) SPECIES OR WATERS NOT LISTED IN SUBS. (1) TO (72)

6. Lake Winnebago system waters	a. Hook and line.	Continuous	5 walleye, 1 sauger and hybrids in total, <u>but only 1 may be a sauger or hybrid</u>	None
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SECTION 35. NR 24.09 and 24.10 are amended to read:

NR 24.09 Commercial clamming: size limits; open seasons, species and waters.

(1) Except as provided in subs. (2) and (3), no person may engage in commercial clam shelling except between sunrise and sunset during the open season in waters which are open to commercial clam shelling, for clams of a species which is open to commercial clam shelling and which are of the minimum size or larger, as shown in the following table:

Waters Open to Commercial Clam Shelling	Open Season	Open Species	Minimum Size
(a) Wisconsin-Iowa boundary waters	No open season	mapleleaf (<i>Quadrula quadrula</i>)	2-3/4"
		pigtoe (<i>Fusconaia flava</i>)	2-3/4"
		pimpleback (<i>Quadrula pustulosa</i>)	2-3/4"
		threeridge (<i>Amblema plicata</i>)	3"
(b) Wisconsin-Minnesota boundary waters except Lake St. Croix, the St. Croix river, and the St. Louis river	No open season	mapleleaf (<i>Quadrula quadrula</i>)	2-3/4"
		pigtoe (<i>Fusconaia flava</i>)	2-3/4"
		pimpleback (<i>Quadrula pustulosa</i>)	2-3/4"
		threeridge (<i>Amblema plicata</i>) <u>None</u>	3"
(c) Inland waters and Wisconsin-Michigan boundary waters: none, except as provided in sub. (3)	No open season, except as provided in sub. (3)	None, except as provided in sub. (3)	12", except as provided in sub. (3)

NR 24.10 Clamming: size limits; open seasons, species and waters. No person may engage in clamming except between sunrise and sunset during the open season in waters which are open to clamming, for clams of a species which is open to clamming and which are of the minimum size or larger, as shown in the following table:

Waters Open to Clamming	Open Season	Open Species	Minimum Size
All boundary and outlying waters, <u>except the St. Croix River where it forms the boundary between Wisconsin and Minnesota</u>	all year	all except those listed in s. NR 27.03 (2) (g) or (3) (g)	None
<u>St. Croix River where it forms the boundary between Wisconsin and Minnesota</u>	<u>No open season</u>	<u>None, and collection of dead shell is prohibited</u>	<u>None</u>

All inland waters

No open season

None. However, dead shells that are not from endangered or threatened clams may be collected, except that collection of all dead shell is prohibited in all waters within the St. Croix National Scenic Riverway

None

SECTION 36. EFFECTIVE DATE. This rule shall take effect April 1, 2010 except Sections 1, 2, 3, 4, 5, 30, 31, 33 and 35, which shall take effect on the first day of the month following publication in the Administrative Register, as provided in s. 227.22(2)(intro.), Stats.

SECTION 37. BOARD ADOPTION. This rule was approved and adopted by the State of Wisconsin Natural Resources Board on _____.

Dated at Madison, Wisconsin, _____

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By _____

Matthew J. Frank, Secretary

(SEAL)

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

The Wisconsin Natural Resources Board proposes and order to repeal ss. NR 11.032(b), 15.022(4); to amend ss. NR 10.01(2)(c)2., 10.01(2)(f)2., 10.01(3)(d), 10.01(3)(e)1.b., 10.01(3)(e)2., 10.01(3)(e)2.d., 10.01(3)(em)4.c., 10.01(3)(em)4.d., 10.01(3)(et)c., 10.09(1)(c)(intro.), 10.13(1)15, 10.25(1)(f)2., 10.25(3), 10.25(4)(b) and (c), 10.26(2)(title), 10.40(4), 10.40(5)(a)2. and b; to repeal and recreate ss. NR 10.001(20), 15.022(8)(b), 15.022(8)(e), 15.024(4) and to create ss. NR 10.01(3)(e)2.h., 10.06(9)(a) and (b), 10.145(3)(f), 10.145(8), 10.26(2)(c), 11.042(2) and 11.044(title)(1) relating to hunting and trapping regulations, closed areas and game refuges.

WM-01-09

Analysis Prepared by the Department of Natural Resources

Statutes Interpreted and Explanation of Agency Authority: The department has interpreted the following statutes as providing the authority to promulgate rules regarding hunting, trapping, closed areas and game refuges; ss. 23.09(2)(b), 29.014, 29.053(3), 29.059, 29.089, 29.192 and 29.193 Stats.

Statutory Authority and Explanation of Agency Authority: Statutes that authorize the promulgation of these rules include; ss. 23.09(2)(b), 29.014, 29.053(3), 29.059, 29.089, 29.192 and 29.193 Stats. These statutes specifically provide the department with authority to establish game refuges, maintain open and closed seasons and other regulations to conserve fish and game and ensure opportunities for hunting and trapping, provide additional hunting opportunities for persons who are physically disabled, report the number and kind of animal taken by hunters and trappers, authorize and regulate hunting on land in state parks, limit the number of persons taking species such as bobcat, and to establish approvals for disabled persons. All rules promulgated under this authority are subject to review under ch. 227, Stats.

Related Rule or Statute: There are no state rules or statutes currently under promulgation that directly relate to the provisions that are proposed in this administrative order.

Plain Language Analysis: The department has recommended modifications to chapter NR 10, 11 and 15, Wis. Adm. Code, relating to hunting, trapping, closed areas and game refuges. These rule changes are proposed for inclusion in the 2009 Spring Hearing Questionnaire. Specifically, these proposals:

- Section 1 clarifies the definition of "open water hunting" for waterfowl.
- Section 2 allows the harvest stocked hen pheasants at Sand Creek Fishery Area, Monroe County.,
- Section 3 extends the fall turkey season to Dec. 31 in zones 1 - 5, except for the nine-day deer season.
- Sections 4, 14, 15 and 16 modify bobcat hunting, trapping, cable restraint seasons and reporting.
- Section 5 allows the use of rifles for firearm deer hunting in Dunn and Shawano Counties.
- Section 6 allows firearm deer hunting at Potawatomi and Whitefish Dunes state parks, Door County and allow the use of rifles for deer hunting at all of Hartman Creek state park, Waupaca and Portage counties.
- Sections 7 through 10 establish that the 19-day muzzleloader-only season and late archery season is antlerless only but buck hunting can be allowed in certain years at Wildcat Mountain state park, Vernon County.
- Section 10 also eliminates the late archery deer hunt at Brunet Island state park.

Section 11 eliminates the special state park hunting season and allows hunting during all normal deer seasons at Cadiz Springs Recreation Area.

Sections 12, 27, 29 and 30 establish a special migratory bird hunt with a 1:00 p.m. closure, regulations, and modify refuges at Mead wildlife area, Wood, Portage and Marathon counties and Lake Mills wildlife area, Jefferson County.

Section 13 clarifies the definition of legal firearm types for hunting.

Section 17 creates flexibility in the methods for issuing left-over turkey hunting permits.

Section 18 creates flexibility to register wild turkeys by methods other than in person at registration stations.

Section 19 allows the use of electronic calls for turkey hunting by certain holders of disabled hunting permits.

Section 20 allows the use of dogs for turkey hunting during the fall season statewide.

Sections 21 and 22 require the registration of sharp-tailed grouse harvest.

Section 23 and 24 allow hunting during special turkey hunts by holders Class B disabled hunting permits that are valid for hunting from a vehicle and issued for more than one year.

Section 25 eliminates the Nelson-Travino Mississippi River closed area in Buffalo county.

Sections 26 and 28 reduce the size of Dike 17 waterfowl refuge and allow trapping and firearm deer hunting (Jackson County)

Section 31 reduces the size of Vernon Marsh waterfowl refuge because certain areas are no longer needed as goose refuge (Waukesha County).

Summary of, and Comparison with, Existing or Proposed Federal Regulations: Federal regulations allow states to manage the wildlife resources located within their boundaries provided they do not conflict with regulations established in the Federal Register. None of these rule changes violate or conflict with the provisions established in the Federal Code of Regulations.

Comparison with rules in Adjacent States: These rule change proposals do not represent significant policy changes and do not differ significantly from surrounding states. All surrounding states have regulations and rules in place for the management and recreational use of wild game and furbearer species that are established based on needs that are unique to that state's resources and public desires.

None of Wisconsin's surrounding states issue bobcat permits by lottery. Bobcat are not harvested in Illinois and Iowa but are present and increasing in number in both states. Michigan hunters and trappers can generally harvest two bobcat per season. Minnesota hunters and trappers have a season limit of five bobcat.

Surrounding states all have fall turkey hunting seasons and the use of dogs is allowed in Iowa and Michigan.

All of Wisconsin's neighboring states use waterfowl refuges to improve hunting opportunities by keeping birds in an area for a longer period of time as well as to provide the birds safe staging areas during the fall migration.

Special migratory bird hunting regulations for individual properties are commonly used in other states to provide high quality hunting experiences where high hunting pressure makes that difficult. Missouri has used a 1:00 p.m. hunting hours closure or rest period for several years. Missouri reports that these regulations provide increased harvest per hunter, better hunter satisfaction, a greater number of birds on property over given time period, and the use of entire wildlife area after closure which increases the refuge aspect of the entire property.

Summary of Factual Data and Analytical Methodologies: The rule changes included in this order do not deviate from current department policy on the management of wildlife and the regulation of hunting and trapping.

Current rules require that most waterfowl hunters be partially or entirely concealed in emergent vegetation while hunting on bodies of water. This requirement preserves open water areas as safe resting areas for migrating waterfowl. This rule proposal adds specificity to the term partial concealment by establishing a standard of 50 percent concealment from view. The rule language also establishes that, when determining the amount of concealment, the hunter and boat are viewed from at least one side from a level of three feet above the water's surface.

Wisconsin's current bobcat season provides more than two months of opportunity for hunters and trappers. Harvest registration is mandatory, and must occur within 5 days of the close of the season, but 48 hour reporting of harvest is not required. The department currently has authority to close the bobcat season early if needed to prevent exceeding the harvest quota. This rule proposal would split the existing permit allotment between two time periods. The later time period, when snow cover is very likely, will provide hunting conditions that hound hunters have said they prefer.

This proposal would allow the use of cable restraints during all of the proposed new bobcat season and eliminate the sunset of this experimental season. A cable restraint is a device used for restraining furbearers without injuring them which consists of a non-spring activated galvanized aircraft cable which includes a relaxing mechanical lock, stops, and swivel. Cable restraints have been legal for use by the public for the January and February portions of the fox and coyote season for four years and in December for one season. Current rules sunset the use of cable restraints for bobcat in December after the 2009 season. Extensive testing of this device has proven that is effective, humane, and very species specific.

This proposal adds Sand Creek Fishery Area to the list of properties where surplus hen pheasants from the state game farm can be stocked and harvested. These properties typically do not have wild pheasants.

This proposal would extend the fall turkey hunting season to include the month of December in management zones 1 through 5 during the 2009 and 2010 seasons. The additional month of fall hunting is not expected to lead to significantly increased harvest as pressure has typically been low compared to the more popular spring season and harvest is still controlled by permit.

Following a successful trial season with two years completed and one remaining, hunting turkeys with the aid of dogs will be allowed statewide during the fall season. Where hunting with dogs is currently allowed in nine counties, no conflicts with other hunters or other problems have been identified but it has provided a unique hunting opportunity. Hunting wild turkeys with dogs in autumn is a traditional activity in other states where the dogs are used to scatter flocks of turkeys so that individual birds can then be called back to the hunter.

Harvested wild turkeys must currently be transported to a department registration station to be recorded. This proposal would create flexibility so that a call-in system, similar to the one used for Canada geese, or other system can be used if that proves to be more convenient for hunters and efficient for the department.

This proposal would allow long term Class B disabled hunting permit holders with permits that authorize hunting from a vehicle to hunt turkeys during the special disabled turkey hunts the same as Class A and C disabled permit holders. Class A and Long term Class B disabled permit holders would also be able to use electronic calls for turkey hunting in order to resolve the difficulty that some people have operating calls by hand. Finally, this proposal removes the requirement that wild turkey hunting permits which are not issued during the drawing may only be issued on a first-come-first-served basis. It is the department's desire to continue first-come-first-served issuance of leftover permits but, should technological or other difficulties interfere, additional flexibility will allow other methods of permit issuance.

This proposal would allow rifles for use during firearm deer seasons in Dunn and Shawano Counties. Currently shotguns with slugs, handguns, and muzzleloaders are the only legal firearms. Wisconsin hunting accident statistics do not show a safety advantage of shotgun slugs over rifle bullets. Hunters in those counties have requested this rule change.

Hunting is statutorily prohibited in state parks except where allowed by administrative rule. This rule proposal would create new hunting opportunities at Potawatomi and Whitefish Dunes state parks during the traditional nine day firearm deer season. These seasons will provide hunting opportunity and provide needed deer herd control on both properties. The Cadiz Springs property includes state park and recreation area property. This proposal would eliminate the existing state-park season framework and expand hunting to include all normal deer seasons at the recreation area. This proposal would eliminate the late archery hunting opportunity at Brunet Island state park. The current archery hunt is underutilized and this change would make seasons at all of the work units in West Central Region consistent. This rule proposal would make the existing 19-day muzzleloader-only season at Wildcat Mountain an antlerless-only hunt in most years in order to maximize deer herd control efforts. The park could allow the harvest of bucks in certain years. Antlerless deer harvest is desired at Wildcat Mountain and the park reports that antlerless deer harvest has been significantly higher during previous antlerless only seasons.

This rule would add clarity to the definition of legal gun types for hunting by clarifying that they must use compressed air or gunpowder. New devices using electromagnetic or other technology might be legal currently if they use a legal type of projectile but these devices have not been evaluated for their effectiveness or desirability for hunting. Allowing one of these new devices in the future would require evaluation and rulemaking.

Registration of harvested sharp-tailed grouse is not a legal requirement. Harvest reporting is requested but compliance is low. This rule would require harvest reporting of sharp-tailed grouse. Methods such as mail or online registration may be utilized. In-person registration would not be required under this proposal.

Waterfowl closed areas are commonly used to provide safe resting areas for migrating waterfowl as well as to allow them to stay in an area during the waterfowl hunting season. Two closed areas are being reduced in size because of their limited effectiveness and to allow other activities in those areas. Those are a portion of the Vernon Marsh Wildlife Area in Waukesha County and the Dike 17 Wildlife Area in Jackson County. At Mead Wildlife Management Area in Wood, Portage, and Marathon Counties two successful refuge areas are proposed to be expanded in order to increase their effectiveness.

Analysis and Supporting Documents Used to Determine Effect on Small Business or in Preparation of Economic Impact Report:

These rules, and the legislation which grants the department rule making authority, do not have a significant fiscal effect on the private sector or small businesses.

Effects on Small Businesses: These rules are applicable to individual sportspersons and impose no compliance or reporting requirements for small business, nor are any design or operational standards contained in the rule.

Agency Contact Person: Scott Loomans, 101 S. Webster St., PO Box 7921, Madison, WI 53707-7921. (608) 267-2452.
scott.loomans@wisconsin.gov

Deadline for Written Comments: The deadline for written comments is April 13, 2009. Comments may also be submitted electronically at the following internet site: <http://adminrules.wisconsin.gov>

Section 1. NR 10.001(20) is repealed and recreated to read:

NR 10.001 (20) "Open water" means any portion of a navigable water body which does not contain a naturally occurring growth of emergent vegetation rooted to the bottom that provides all of the following, except that naturally occurring dead stumps or trees, or vegetation placed in the bottom by a person, do not constitute a natural growth of vegetation

(a) The vegetation is of sufficient height and density to conceal at least 50% of the hunter and the boat, blind or similar device within or behind the natural growth of vegetation when viewed from at least one direction horizontally and parallel to the water surface from a height of 3 feet above the water level.

(b) The vegetation which provides the 50% concealment extends above the water surface to a height at or above the gunwales or sides of the boat, blind or similar device and must be within 3 feet of the exterior of the boat, blind or similar device.

Note: Vegetation that is naturally rooted to the bottom other than dead trees or stumps may be dead or alive, but must still provide the required minimum 50% concealment when hunting is occurring.

Section 2. NR 10.01(2)(c)2. is amended to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
NR 10.01(2)(c)2. Cocks and hens-- Within the following named properties as posted with department signs: a. Avoca (Iowa county) b. Scuppernon (Waukesha county) c. C.D. "Buzz" Besadny fish and wildlife area (Kewaunee county) d. Pine River (Richland county) e. Vernon (Waukesha county) f. Boscobel unit of the Lower Wisconsin	Same as in subd. 1. a.	Same as in subd. 1. a.

- Riverway
(Grant county)
- g. Kickapoo valley reserve (Vernon county)
- h. Kettle Moraine state forest (Waukesha county)
- i. Tom Lawin wildlife area (Chippewa county)
- j. Sand Creek fishery area (Monroe County)

Section 3. NR 10.01(2)(f)2. is amended to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
NR 10.01(2)(f)2. All wild turkey hunting zones as described in s. NR 10.29 and the Mill Bluff state park portions of zones 9 and 43 of zone 1 , excluding all other state parks, for which a quota has been established under s. NR 10.25(5).	Fall season beginning on the Saturday nearest September 15 and continuing through the Thursday immediately preceding the Thanksgiving holiday.	Either sex of turkey may be killed. The possession limit corresponds to the number of carcass tags issued.
<u>Wild turkey hunting zones 1 – 5, as described in s. NR 10.29 and the Mill Bluff state park portion of zone 1, excluding all other state parks, for which a quota has been established under s. NR 10.25(5).</u>	<u>Fall season reopening on the Monday immediately following the Thanksgiving holiday and continuing through December 31 during the 2009 and 2010 seasons.</u>	<u>Either sex of turkey may be killed. The possession limit corresponds to the number of carcass tags issued.</u>

Section 4. NR 10.01(3)(d) is amended to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
NR 10.01(3)(d) Bobcat (wildcat; hunting and trapping) 1. All that part of Wisconsin north of state highway 64	Beginning on the Saturday nearest October 17 and continuing through December 31 Two permit periods: The Saturday nearest Oct. 17 – Dec. 25	One per season by permit
2. Remainder of the state	Dec. 26 – Jan 31 None	None

Section 5. NR 10.01(3)(e)1.b. is amended to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
10.01(3)(e)1.b. In the counties or parts of counties and deer management units of Brown, Calumet, Dane, Dodge, Door (Detroit, Plum, Rock and Washington Islands only), Dunn (unit 59B portion), Fond du Lac, Green, Jefferson, Kenosha, Lafayette, Manitowoc, Outagamie, Ozaukee, Pierce (unit 59B, 60A, 60B and 61 portions), Racine, Rock, St. Croix (unit 59B and 60B portions), Sheboygan, Shawano (south of highway 29), Trempealeau national wildlife refuge, Walworth, Washington, Waukesha, Waupaca and Winnebago.	Shotgun season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 9 consecutive days.	One buck deer and additional antlerless deer as authorized by antlerless deer permits issued under s. NR 10.104.

Section 6. 10.01(3)(e)2. is amended to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
NR 10.02(3)(e)2. The following state parks and trails: the portion of Big Bay state park located on Madeline Island west of a north-south line beginning at the park entrance on Haines road, Governor Thompson, Elroy-Sparta, Hartman Creek, Interstate, the Plum Island portion of Grand Traverse Islands, Mill Bluff, Newport, <u>Potawatomi</u> , Rock Island, Straight Lake, <u>Whitefish Dunes</u> , Wyalusing (73A) and Tuscobia-Park Falls.	Firearm season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 9 consecutive days. The firearm type is the same as authorized for the surrounding deer management unit <u>except that rifles are allowed in all of Hartman Creek.</u>	One buck deer and additional antlerless deer as authorized by antlerless deer permits issued under s. NR 10.104.

Section 7. 10.01(3)(e)2.d. is amended:

Kind of animal and locality	Open season (all dates inclusive)	Limit
d. Wildcat Mountain (unit 72A), Rib Mountain (unit 57D), Harrington Beach (unit 69C) and Kohler-Andrae (77E) state parks.	Muzzleloading firearm season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 19 consecutive days.	One buck deer and additional antlerless deer as authorized by antlerless deer permits issued under s. NR 10.104.

Section 8. 10.01(3)(e)2.h. is created:

Kind of animal and locality	Open season (all dates inclusive)	Limit
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NR 10.01(3)(e)2.h. Wildcat Mountain (unit 72A) state park.	Muzzleloading firearm season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 19 consecutive days.	One antlerless deer or one deer of either sex as authorized by deer permits issued under s. NR 10.104
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Section 9. NR 10.01(3)(em)4c. is amended.

Kind of animal and locality	Open season (all dates inclusive)	Limit
The following state parks and trails: Elroy-Sparta, Council Grounds (52A), Hartman Creek, Interstate, Kinnickinnic, Wildcat Mountain (unit 72A) , Rib Mountain (unit 57D), Harrington Beach (unit 69C), Kohler-Andrae (unit 77E), Willow River, Newport and Tusconbia-Park Falls.	During the late archery seasons described in subd. 1.	One buck and one antlerless deer as authorized by the appropriate carcass tag and additional antlerless deer as authorized by antlerless permits issued under s. NR 10.104.

Section 10. NR 10.01(3)(em)4.d. is amended.

Kind of animal and locality	Open season (all dates inclusive)	Limit
Brunet Island (unit 23A) <u>Wildcat Mountain (unit 72A)</u> state park.	During the late archery seasons described in subd. 1.	One antlerless deer as authorized by the appropriate carcass tag or one deer of either sex as authorized by deer permits issued under s. NR 10.104.

Section 11. NR 10.01(3)(et)c. is amended:

Kind of animal and locality	Open season (all dates inclusive)	Limit
NR 10.01(3)(et)c. Belmont Mound, Cadiz Springs, Devil's Lake, Mirror Lake, Natural Bridge, New Glarus Woods, Rocky Arbor and Yellowstone state parks.	1. <i>Early firearm season.</i> A firearm deer hunt beginning on the Thursday nearest October 15 and continuing for 4 consecutive days. Allowable types of firearms are those authorized on the first day of the regular gun deer season under s. NR 10.01(3)(e). Legal hunting hours are the same as those established in s. NR 10.06(5) except that hunting hours shall close at 12:00 p.m. daily.	One antlerless deer per unused deer carcass tag or permit described under s. NR 10.104(11).
	2. <i>Gun deer season.</i> A firearm deer hunt beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 9 consecutive days. Allowable types of guns are those authorized on the first day of the regular gun deer season in the surrounding county under s. NR 10.01(3)(e).	One deer of either sex per unused deer carcass tag or permit described under s. NR 10.104(11).
	3. <i>Muzzleloader season.</i> A muzzleloader hunt as established in s. NR 10.01 (3)(es) beginning on the Monday immediately following the Thanksgiving holiday and continuing for 10 consecutive days.	One deer of either sex per unused deer carcass tag or permit described under s. NR 10.104(11).
	4. <i>Late firearm season.</i> A firearm deer hunt beginning on the second Thursday following the Thanksgiving holiday and continuing for 4 consecutive days. Allowable types of guns are those authorized on the first day of the regular gun deer season in the surrounding county under s. NR 10.01(3)(e).	One antlerless deer per unused deer carcass tag or permit described under s. NR 10.104(11).
	5. <i>Archery season.</i> An archery hunt beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing through the Wednesday immediately prior to the opening of the late firearm season in this section.	One deer of either sex per unused deer carcass tag or permit described under s. NR 10.104(11).
	Beginning the second Thursday following the Thanksgiving holiday and continuing for 4 consecutive days.	One antlerless deer per unused deer carcass tag or permit described under s. NR 10.104(11).
	Beginning on the day immediately following the 4-day antlerless hunt above and continuing through the Sunday nearest January 6.	One deer of either sex per unused deer carcass tag or permit described under s. NR 10.104(11).

Section 12. NR 10.06(9)(a) and (b) are created to read:

NR 10.06(9) *Daily migratory bird rest period.* Migratory bird hunting hours shall close at 1:00 p.m. daily within the posted boundaries of the following state wildlife areas on the following dates. This subsection does not apply after December 31, 2012.

(a) George W. Mead Wildlife Area (Wood, Portage, and Marathon Counties) beginning on the third day of the duck hunting season in subd. NR 10.01 and continuing for 16 days.

(b) Lake Mills Wildlife Area (Jefferson County) beginning on Sept 1 and continuing through the 16th day after the opening weekend of the duck season established in subd. NR 10.01 except that normal statewide hunting hours apply on the opening weekend of the duck season.

Section 13. NR 10.09(1)(c)(intro.)1. is amended to read:

NR 10.09(1)(c)1. *'Type.'* Hunt with any means other than the use of a gun discharged designed to be fired from the shoulder utilizing the energy of gun powder or compressed air, bow and arrow or by falconry except:

Section 14. NR 10.13(1)(b)15. is amended to read:

NR 10.13(1)(b)15. *'Cable restraints specifications.'* Set, place or operate any cable restraint except for bobcat from December 1 to December 31 January 31 and fox and coyotes from December 1 to February 15, dates inclusive, provided the cable restraint conforms to the following specifications in addition to those under subd. 13. ~~The use of cable restraints for bobcat sunsets following the 2009 season.~~

Section 15. NR 10.145(3)(f) is created to read:

NR 10.145(3)(f) *Validity.* All permits are valid only in the zones and for the time periods specified on the permit during the open season established for bobcat.

Section 16. NR 10.145(8) is created to read:

NR 10.145(8) REPORTS. (a) *Harvest reports.* The department may require each successful bobcat permit applicant to submit a harvest report in a manner prescribed by the department within 24 hours of harvesting a bobcat.

Section 17. NR 10.25(1)(f)2. is amended to read:

NR 10.25(1)(f)2. *'Undersubscribed zones and time periods.'* If the number of applications for licenses for a wild turkey hunting zone is less than the available quota of licenses, the department may make available to any person the remaining carcass tags for the zone and time period for purchase ~~on a first-come, first-served basis~~ at a rate of no more than one carcass tag per day per person.

Section 18. NR 10.25(3) is amended to read:

NR 10.25(3) REGISTRATION. A person who possesses a wild turkey killed in a wild turkey hunting zone shall exhibit and register the bird ~~at a~~ with the department registration station as follows:

Section 19. NR 10.25(4)(b) is amended to read:

NR 10.25(4)(b) By the use or aid of recorded or electrically amplified bird calls or sounds or imitations thereof, or while in possession of any type of device that produces recorded or electronic amplifications of bird calls or sounds. This paragraph does not apply to hunters possessing a Class A or B disabled hunting permit which authorizes hunting from a vehicle and which is issued for more than one year.

Section 20. NR 10.25(4)(c) is amended to read:

NR 10.25(4)(c) With the aid of dogs, except during the ~~fall open~~ season for hunting turkeys described in s. NR 10.01(2)(f)2. in Crawford, Jackson, Juneau, La Crosse, Monroe, Richland, Sauk, Vernon and Wood counties in 2007, and 2008 and 2009.

Section 21. NR 10.26(2)(title) is amended to read:

NR 10.26(2) TAGGING AND REGISTRATION PROCEDURE.

Section 22. NR 10.26(2)(c) is created to read:

NR 10.26(2)(c) *Registration.* A person who possesses a sharp-tailed grouse killed in a sharp-tailed grouse hunting zone shall register the bird with the department no later than 5:00 p.m. on the day after it was killed.

Section 23. NR 10.40(4) a. and b. are amended to read:

NR 10.40(4)(a) *Authorized state properties.* Turkey hunts for disabled hunters possessing a Class A, valid Class B permit which authorizes hunting from a vehicle that is issued for more than one year, or Class C permit are permitted at the following state owned properties: Belmont Mound (Lafayette county), Natural Bridge (Sauk county), Nelson Dewey (Grant county), New Glarus Woods (Green county), Rocky Arbor (Juneau county) and Loew Lake unit - Kettle Moraine state forest (Washington county).

(b) *Application requirements.*

1. All applications shall be on department forms and shall be postmarked no later than December 10 or received by a department service center location on that day.

2. All applications shall include the applicant's Class A, valid Class B permit which authorizes hunting from a vehicle that is issued for more than one year, or C permit number.

Section 24. NR 10.40(5)(a)2. and (b) are amended to read:

NR 10.40(5)(a)2. An application shall include all of the following:

- a. The written authorization of the host landowner to conduct a disabled turkey hunt; and
- b. The turkey management zone and a legal description of the lands on which the hunt is to be conducted, including government lot or quarter-quarter section, section, township, range and county; and
- c. A list of the names, addresses and Class A, valid Class B permit which authorizes hunting from a vehicle that is issued for more than one year, or C permit numbers of all participating hunters and the names of their designated assistants.

(b) *Participation limits.* No person may hunt in more than one disabled turkey hunt in the same calendar year and all special hunt permit applicants shall possess a valid turkey hunting license and stamp and either a Class A, valid Class B permit which authorizes hunting from a vehicle that is issued for more than one year, or C permit as defined in s. 29.193, Stats., that was issued on or after August 9, 1989. Participants may hunt only on the land described in the application and only during the time period described in the application. A person who is on the list of participating hunters for a disabled turkey hunt may not apply for a permit through the regular spring turkey hunting drawing in that year.

Section 25. NR 11.032(1)(b) is repealed.

Section 26. NR 11.042(2) is created:

NR 11.042(2) JACKSON COUNTY (a) *Dike 17.* Township 21 north, range 2 west, town of Millston.

<See Map in Question 51>

Section 27. NR 11.044(title)(1) is created to read:

NR 11.044(1) Early waterfowl hunting season closed area. A closed season is established at the Mead wildlife area. No person may hunt waterfowl until the beginning of the duck season established in s. NR 10.01(1), except that hunting is allowed on the dates of the youth duck hunt established in s. NR 10.01(1) by all people who may legally hunt waterfowl on those dates.

Section 28. NR 15.022(4) is repealed.

Section 29. NR 15.022(8)(b) is repealed and recreated:

NR 15.022(8)(b) Townline Reservoir/Berkhahn Flowage. Township 26 north, range 6 east, town of Bergen.

<See Map in Question 40>

Section 30. NR 15.022(8)(e) is repealed and recreated:

NR 15.022(8)(e) *Mead.* Rice Lake Refuge. Township 26 north, range 5 east, town of Green Valley.

<See Map in Question 41>

Section 31. NR 15.024(4) is repealed and recreated:

NR 15.024(4) WAUKESHA COUNTY. (a) *Vernon wildlife area.* Township 5 north, range 19 east, town of Vernon and township 6 north, range 19 east, town of Waukesha.

<See Map in Question 52>

Section 32. Effective dates. Sections 1, 17, 18, 19, 23, 24 and 25 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. All other sections shall take effect on February 1, 2010.

Section 33. Board adoption. This rule was approved and adopted by the State of Wisconsin Natural Resources Board on

_____.

Dated at Madison, Wisconsin _____.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By _____
Matthew J. Frank, Secretary

(SEAL)

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