

Clearinghouse Rule 09-042

Report to
Legislative Council Rules Clearinghouse
NR 10, Wis. Adm. Code
Natural Resources Board Order WM-13-09

Wisconsin Statutory Authority

ss. 29.014, 29.041, 29.885, and 227.11, Stats.

Federal Authority

The USFWS annually prescribes the outside limits (frameworks) within which states may select migratory bird hunting season parameters. Authority for the Secretary of the Interior to determine when "hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, or export of any . . . bird, or any part, nest or egg" can occur and to adopt regulations is established in 16 U.S.C. 704.

Court Decisions Directly Relevant

None.

Analysis of the Rule – Rule Effect – Reason for the Rule

Under international treaty and Federal law, migratory game bird seasons are closed unless opened annually through the USFWS regulations process. This rule order establishes the season length and bag limits for the 2009 Wisconsin migratory game bird seasons. For ducks, the state is divided into two zones each with 60-day seasons. The season begins at 9:00 a.m. September 26 and continues for 60 consecutive days in the north, closing on November 24. In the South the season begins at 9:00 a.m. on October 3 and continues through October 11, followed by a 5-day split, and then reopens on October 17 and continues through December 6. The daily bag limit is 6 ducks including no more than: 4 mallards, of which only one may be a hen, one black duck, one pintail, 3 wood ducks, and 2 redheads. For scaup the daily bag limit will be 2 scaup for 45 days and 1 scaup for 15 days. The canvasback season is closed.

For Canada geese, the state is apportioned into 3 goose hunting zones: Horicon, Collins and Exterior. Other special goose management subzones within the Exterior Zone include Brown County, Burnett County, Rock Prairie and the Mississippi River. Season lengths are: Collins Zone - 66 days (three hunting periods, September 16 – October 4, October 5 – 25, October 26 – November 20); Horicon Zone - 92 days (2 hunting periods, first period beginning September 16 and the second on November 2); Exterior Zone in the northern duck zone - 85 days (Sept. 19 – Dec. 12); Exterior Zone in the southern duck zone – 85 days (Sept. 19 – Oct. 11 and Oct. 17 – Dec. 17) and Mississippi River subzone - 85 days (Oct. 3 – Oct. 11 and Oct. 17 – Dec. 31). The Burnett County subzone is closed to Canada goose hunting. The statewide daily bag limit for Canada geese in all zones is 2 birds per day during the open seasons within the zones.

Agency Procedures for Promulgation

Public hearings, followed by Natural Resources Board adoption, followed by legislative review.

Description of any Forms (attach copies if available)

None

Name and Telephone Number of Agency Contacts

Scott Loomans, Wildlife Regulation Policy Specialist – (608) 267-2452

Kent Van Horn, Migratory Bird Specialist – (608) 266-8841

Tim Andryk, Program Attorney – (608) 264-9228

Submitted on June 2, 2009