

50-04.12

April 2012

Title: Definition of open water as it pertains to waterfowl hunting

The Problem:

Under current law, it is legal to hunt waterfowl within three feet of naturally occurring vegetation, which provides 50% concealment to hunter, boat, blind, or similar device. However, placing a boat or blind next to a naturally vegetated shoreline, which provides as much or more concealment, is not legal. Due to varying growth patterns of emergent vegetation, and the condition of that vegetation after fall flooding, a permanent blind could be legal one year and illegal the next or in some cases legal early in the fall and illegal later on. In some river systems, fall flooding can completely decimate emergent vegetation to the point there is no where to legally hunt under current open water wording. Allowing the hunting of waterfowl near vegetated shorelines, would meet the purpose of the open water law, which is to protect resting and feeding waterfowl in open water areas. The present wording of the open water law has significantly reduced the areas available for waterfowl hunter use, and therefore reduced hunting opportunity.

BE IT RESOLVED, that the Conservation Congress, at its annual meeting held in Portage County April 9th, 2012 recommends that the Conservation Congress work with the WDNR to correct this situation, by introducing a rule change that would include in the definition of open water wording that would allow hunting within three feet of a naturally vegetated shoreline which provides 50% concealment to hunter, boat, blind or similar device.

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