

**Wisconsin Department of Natural Resources
Natural Resources Board Agenda Item**

SUBJECT:

Request that the Board authorize public hearing for permanent Board Order WM-01-13, proposed rules affecting NR Ch's. 10, 11, 17, and 45 related to the 2013 Wildlife Management Spring Fish & Wildlife Hearing Rules Package.

FOR: January 2013 Board meeting

PRESENTER'S NAME AND TITLE: Scott Loomans, Wildlife Regulation Policy Specialist

SUMMARY:

Annually, the department submits rule change proposals relating to hunting, trapping and wildlife management. The April statewide Spring Fish and Wildlife hearings are the forum for public involvement. In 2013, the department also proposes asking several advisory questions to gauge support for future rule proposals. The following rule changes of statewide interest are proposed:

- Allow the statewide use of rifles for firearm deer hunting.
- Eliminate the requirement to tag harvested birds at stocked hen/rooster pheasant hunting areas. Field dressed carcasses would need to retain proof of species and sex identification while being transported.
- Simplify mink and muskrat trapping regulations by creating more consistent opening dates throughout the state.
- Apply hunting hour restrictions to people who are training bear hunting dogs when bear hunting season is open.
- Establish a four-day trap check requirement for traps placed for weasels, instead of daily.
- Require reporting the harvest of otter and fisher within 24 hours.
- Allow gathering willow stakes on department managed lands for non-commercial uses.
- Allow the unattended, overnight placement of portable stands and blinds on department lands.

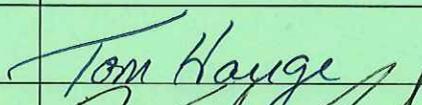
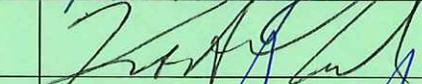
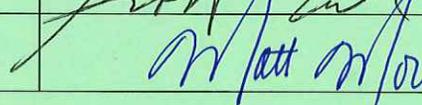
Proposals primarily of local interest:

- Eliminate the refuge/closed area at Mecan Springs, Waushara County.
- Richard Bong State Recreation Area, Racine County, hunting fee and pheasant and dove hunting proposals.

RECOMMENDATION: That the Board authorize public hearing for permanent Board Order WM-01-13.

LIST OF ATTACHED MATERIALS (check all that are applicable):

- | | |
|---|---|
| <input type="checkbox"/> (choose one) | <input checked="" type="checkbox"/> Attachments to background memo |
| <input type="checkbox"/> Statement of scope | <input type="checkbox"/> Governor approval of statement of scope |
| <input checked="" type="checkbox"/> Fiscal estimate and economic impact analysis (EIA) form | <input type="checkbox"/> Environmental assessment or impact statement |
| <input type="checkbox"/> Response summary | <input checked="" type="checkbox"/> Board order/rule |

Approved by	Signature	Date
Tom Hauge, Bureau Director		1/7/13
Kurt Thiede, Administrator		1/8/13
Cathy Stepp, Secretary		1/9/13

cc: Board Liaison - AD/8

Program attorney - LS/8

Department rule coordinator - LS/8

DATE: December 1, 2012

TO: Natural Resources Board

FROM: Cathy Stepp

SUBJECT: NRB Authorization for Public Hearings on Wildlife Management Rule Order WM-01-13, the 2013 Wildlife Spring Hearing Rules Package

I am requesting Natural Resources Board authorization to hold public hearings on WM-01-13, a rule package to amend NR 10, 17, and 45, Wis. Admin. Code, relating to hunting, trapping, closed areas, dog training, and the management of department lands. Additionally, the department is proposing a number of advisory questions to gauge public opinion and to assist in gathering public input for other rule packages.

Background:

Annually, the department submits rule change proposals relating to hunting, trapping and wildlife management. The statewide April Spring Fish and Wildlife hearings are the traditional vehicle for citizen input. The origins of these rule change proposals are: 1) department staff specialists from the bureaus of law enforcement, wildlife management, endangered resources and customer service and licensing, or; 2) publicly supported Conservation Congress advisory questions from prior years that were forwarded by the congress' executive council. All of these proposals were reviewed by department staff prior to inclusion as proposals in this rule order. For details on each of the proposed rule changes, please refer to the attached spring hearing questions proposal (Appendix 1).

The department also proposes asking advisory questions that are or may become future rule proposals.

Summary of the Rule:

The department is recommending modifications to chapters NR 10, 17 and 45, Wis. Adm. Code, relating to hunting, trapping, closed areas, dog training, and the management of department lands. These rule changes are proposed for inclusion in the 2013 Spring Hearing questionnaire. Specifically, individual sections of this rule proposal will:

Statewide proposals

- Simplify firearm deer hunting regulations by allowing the use of rifles statewide. Currently, only shotguns, muzzleloaders and handguns may be used in some areas. These sections also make housekeeping updates in response to 2011 ACT 50 which prohibited certain firearm deer seasons from being held prior to the Saturday before the Thanksgiving holiday.
- Simplify pheasant hunting regulations by eliminating the requirement to tag harvested birds at stocked hen/rooster pheasant hunting areas. Field dressed carcasses of pheasants would need to retain proof of species and sex identification while being transported, similar to current requirements for migratory game birds.

- Simplify mink and muskrat trapping regulations by creating more consistent opening dates throughout the state.
- Establish that hunting hours apply to people who are training bear hunting dogs at times when the bear hunting season is also open. Under 2011 ACT 28, bear dog training is now allowed during the open season for hunting bears with dogs.
- Establish a four-day trap check requirement, instead of a daily requirement, for certain types of traps placed for weasels.
- Require reporting the harvest of otter and fisher within 24 hours.
- Establish that, in addition to collecting certain food items, it is also legal to cut and gather willow stakes on department managed lands for non-commercial uses. Willow stakes are often used by trappers for trap stakes and marking trap set locations. A person will need first obtain permission from the property manager before cutting and removing such willow stems.
- Allow the unattended, overnight placement of portable stands and blinds on department owned and managed lands from September 1 through January 31.

Proposals primarily of local interest

- Eliminate the refuge/closed area at Mecan Springs, Waushara County, as recommended in voting by the Conservation Congress in 2012.
- Simplify regulations for pheasant hunters at Richard Bong State Recreation Area in Kenosha County by eliminating the arm band requirement for pheasant hunters.
- Establish a controlled dove hunt at Bong State Recreation Area in Kenosha County in order to improve hunter satisfaction by reducing hunter interference.
- Increase the daily pheasant hunting fee at Bong State Recreation Area in Kenosha County from \$3.00 to \$12.00 (\$5.00 if stocking did not occur on that day) because the current fee is not sufficient to cover the cost of this stocking program.
- Expand the area where rifles are allowed for firearm deer hunting in Outagamie and Shawano Counties.

Advisory Questions:

The department is asking a number of advisory questions to gauge public opinion and to assist in gathering public input for other rules packages.

Questions related to training dogs used to hunt wolves are subjects of a permanent rule implementing 2011 ACT 169 related wolf hunting and trapping and a depredation management program.

Questions related to migratory birds may be subjects of emergency or permanent rules packages promulgated each year by the department to establish waterfowl hunting seasons.

Additional questions that may be the subject of future rule making include those related to establishing early season closure authority for otter and fisher and expanding the area where bobcat hunting and trapping may occur.

Rule Development:

These rules were developed with assistance from the bureaus of law enforcement, legal services, facilities and lands, endangered resources, and parks & recreation.

Small Business and Regulatory Flexibility Analysis:

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. 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. Therefore, under s. 227.19 (3m) Stats., a final regulatory flexibility analysis is not required.

Economic Impact of Proposed Rules

The department has determined that these rules will have only a minimal economic impact locally or statewide.

A notice for Solicitation of comments on this analysis was posted on the department's website from November 26 through December 10. During that period the department also distributed the proposed rule and analysis to parties it determined would be interested and representatives of local units of government. The department received a handful of comments in support of individual provisions of the rule but no comments on economic impacts to businesses, local governments, or individuals.

A copy of the economic and fiscal impact analysis is attached as part of this agenda item.

Environmental Analysis:

The department has determined that these rule revisions are a Type III action under Chapter 150, Wis. Adm. Code, and no environmental analysis is required.

Appendix 1. Proposed 2013 Spring Hearing Questions.

2013 Spring Hearing Questions

(Parenthesis indicate the year the proposal would become effective)

Statewide Questions

QUESTION 1. Allow the use of rifles for deer hunting statewide (2014).

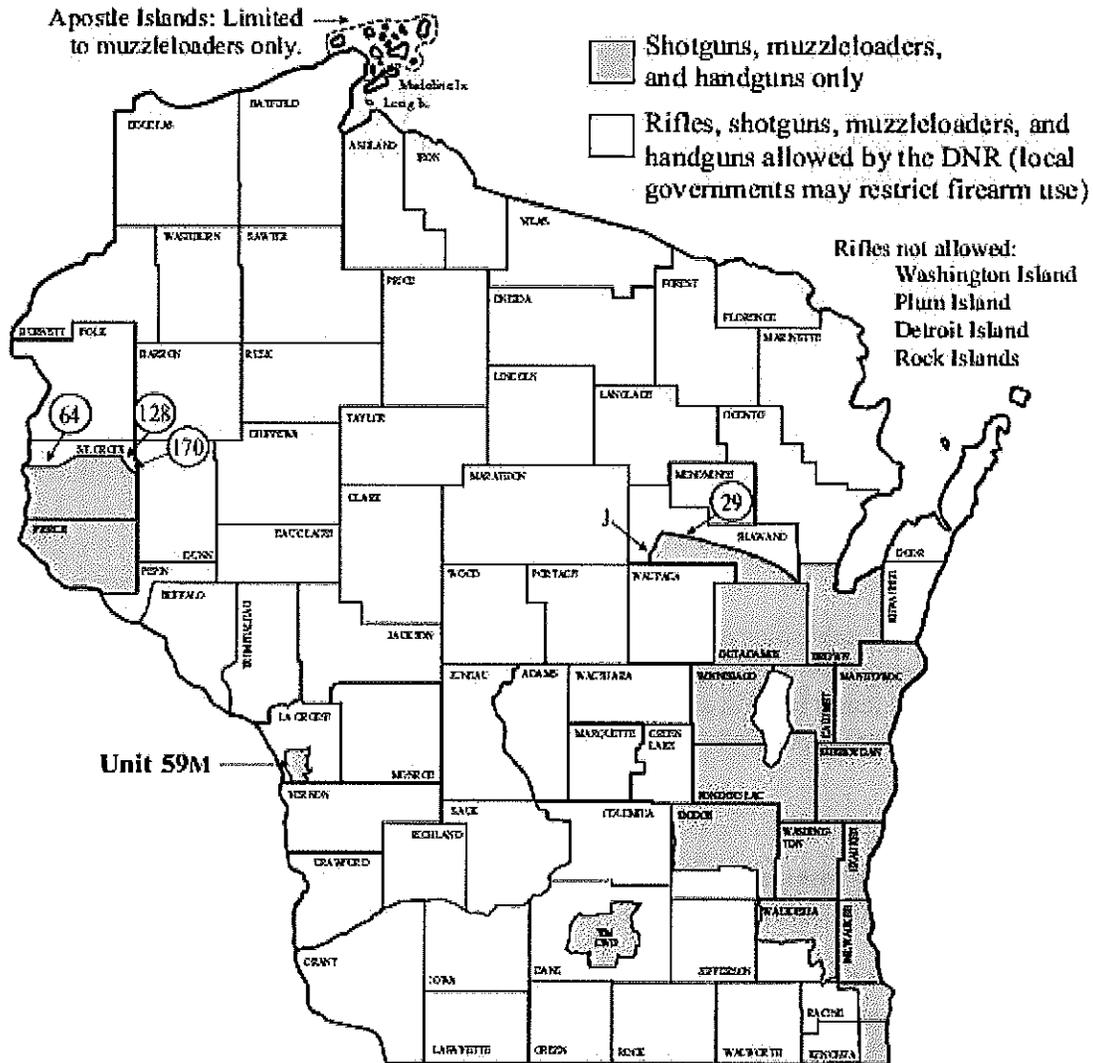
Firearm deer hunters are currently restricted to using shotguns, handguns, and muzzleloaders in certain parts of the state. Many people believe that this rule is in place for safety reasons. However, data collected by the department does not show any safety-related advantage to limiting hunters to shotguns, handguns, and muzzleloaders. The department does not have a biological or management-related purpose for the current restrictions.

The department has not identified an increase in the occurrence of firearms incidents for rifles over shotguns. Based on a statewide survey done by the department in 2003, about 24% of hunters said they use a shotgun as their primary firearm for hunting deer, while 76% said their primary firearm is a rifle. However, based on hunting injury shooting incidents recorded from 1998 thru 2008, 42% of all hunting related shooting injury incidents are caused by shotguns. This means that shotguns are involved disproportionately more often in shooting incidents than are rifles.

In most incidents, the investigation has shown that the accident would have occurred regardless of what type of firearm was involved.

Shaded areas of this map currently limit firearm deer hunters to shotguns, muzzleloaders, and handguns but would be open for the use of rifles under this proposal:

Deer Firearm Restricted Areas



1. Do you favor allowing the use of rifles for deer hunting statewide?

1. Yes _____ No _____

QUESTIONS 2 and 3. Pheasant hunting regulations simplification and requiring sex/species identification during transportation (2014).

Currently, the harvest of both hen and rooster pheasants is allowed at certain public hunting grounds (named below) that are stocked with pheasants by the department. Hunters are required to tag harvested pheasants with a leg tag to identify that the bird was harvested where hunting hen pheasants is legal. Hunters are limited to ten tags/birds each year. This program allows better utilization of birds raised at the state game farm and it occurs at properties where wild hen pheasants are unlikely to be present. Printing and distributing these tags is costly for the department and may not be necessary. Under this proposal, hunters would no longer need leg tags to hunt at these properties. Hunters would no longer be

limited to 10 pheasants a year, a limit which is not in place at other department properties that are stocked with pheasants.

Also under this proposal, pheasants possessed in the field or in transit from the field to the hunter's home or temporary lodging could not be completely field dressed. Instead, the species and sex of the bird would need to be identifiable in some way, such as by leaving the head or a leg attached to the rest of the dressed carcass. Requiring that birds being transported be identifiable is similar to requirements already in place for migratory birds and provides conservation wardens an opportunity to ask questions of the hunter to assure the bird was harvested where shooting hen pheasants is legal.

2. Do you favor eliminating the seasonal bag limit of ten pheasants and the requirement to tag pheasants harvested at the following properties which are stocked by the department with hen and rooster pheasants: Avoca (Iowa county), Scuppernong (Waukesha county), C.D. "Buzz" Besadny fish and wildlife area (Kewaunee county), Vernon (Waukesha county), Boscobel unit of the Lower Wisconsin Riverway (Grant county), Kickapoo valley reserve (Vernon county), Kettle Moraine state forest (Waukesha county), Tom Lawin wildlife area (Chippewa county), Sand Creek fishery area (Monroe county)?

2. Yes _____ No _____

3. Do you favor establishing a statewide regulations requiring that the species and sex of pheasants possessed in the field or in transit from the field to the hunter's home or temporary lodging must be identifiable in some way, such as by leaving the head or a leg attached to the rest of the dressed carcass?

3. Yes _____ No _____

QUESTION 4. Simplify mink and muskrat trapping regulations by creating more consistent opening dates throughout the state (2014).

There are currently four different zones for trapping muskrats and mink, each with a different opening date. The various opening dates may be established so that trapping begins based on people's opinion about the dates that pelts become prime. However, there are no universally accepted dates for when muskrat and mink pelts become prime in different locations. The advantage of the staggered openings may not outweigh the disadvantages of regulations which may be more complicated than needed.

Under this proposal, the muskrat and mink seasons would open on the third Saturday in October and close on the Sunday nearest March 7 statewide except in the Mississippi River Zone, where the season dates would not be modified. This question asks the public to balance their concerns about regulations that may be overly complicated against perceptions about the ideal time to begin harvesting muskrats and mink based on pelt primeness.

Currently, the season dates for muskrat and mink trapping are:

1. 'North zone' — Beginning on the Saturday nearest October 17 and continuing through the last day of February.
2. 'South zone' — Beginning on the Saturday nearest October 28 and continuing through the last day of February.

QUESTION 7. Require 24 hour harvest reporting of otter and fisher (2014).

The department currently has the authority to close the bobcat, fisher, otter, Canada Goose, and wolf hunting or trapping seasons earlier than the date established by rule, if it determines that a harvest quota for that species will be exceeded. For bobcat, wolves, and geese in certain zones, hunters or trappers must report their harvest to the department, giving the department current harvest level information upon which the decision to close a season can be made.

Otter and fisher trappers must register their legal take within 5 days following the month of harvest, which does not provide timely harvest information. Establishing a requirement of reporting fisher and otter harvest to the department within 24 hours would be consistent with rules for the other species and improve the department's ability to prevent overharvest.

Under this proposal, harvest could be reported by telephone or internet, similar to the way bobcat, goose, and wolf harvest is reported. Registration of harvested fisher and otter would still be required within five days following the month of harvest.

To provide the department with the ability to prevent the overharvest of otter and fisher, do you favor requiring 24 hour harvest reporting of otter and fisher?

7. Yes _____ No _____

QUESTION 8. Allow cutting and gathering willow stakes on department managed lands for non-commercial uses (2014).

Collecting plants from department managed lands is generally prohibited except for some edibles and the removal of invasive plants. This proposal would also allow collecting willow stakes on department managed lands for non-commercial uses. Willow stakes are often used by trappers for marking trap locations and anchoring traps and may also be useful for craft projects. Willow is a fast growing species that, although native, is sometimes considered invasive in certain locations.

This proposal would allow gathering willow that is less than 2 ½ inches in diameter for personal use. Property manager permission would be required so that, if there are locations where the willows are important, they can be protected.

8. Do you favor allow people to cut and gather willow stakes on department managed lands for non-commercial uses, after first obtaining authorization from the property manager?

8. YES _____ NO _____

Question 9. Allow unattended, overnight placement of portable stands and blinds on department owned and managed lands (2014).

Currently the overnight, unattended placement of tree stands and ground blinds for hunting is not allowed on department managed lands. This regulation is designed to prevent the "staking out" or making advance claims to hunting locations in favor of a first-come-first served practice. However the overnight

placement, remaining in place for as long as an entire season, of stands is allowed on some other public lands not managed by DNR and may also be practical on department lands.

This proposal asks members of the public to balance a philosophy of trying to reduce conflict and maintain a level playing field on public lands versus the convenience of not having to carry and place a tree stand or blind for each hunt, especially for an aging demographic of hunters.

Under this proposal, tree stands could only be placed beginning on September 1 and must be removed by January 31 of the following year. The proposal requires that all unattended tree stands be marked with the owner's department customer identification number or name and address. It would be illegal to cause damage to the tree, but careful pruning of limbs less than 1 inch in diameter would not be considered causing damage to the tree the stand is placed in. This does not permit cutting trees, bush and other vegetation for shooting lanes.

This proposal would clarify that any person may use a stand that is not occupied and being used by the owner and that stand placement does not reserve a location for exclusive use by any individual. However, the owner of the blind or stand would retain the authority to remove and relocate their stand at any time. It would be illegal to relocate a blind or stand that was lawfully placed by another.

9. Do you favor allowing the unattended, overnight placement of portable stands and blinds on department owned and managed lands, but limiting the period when stands and blinds may be left unattended to September 1 through January 31?

9. YES _____ NO _____

Local Questions

QUESTION 10. Eliminate the refuge/closed area at Mekan Springs, Waushara County, as recommended in voting by the Conservation Congress in 2012. (Waushara County).

A closed area/waterfowl refuge is currently established at Mekan Springs, also known as the Greenwood Wildlife Area, to protect a flock of non-migratory Canada geese. Giant Canada geese are now prevalent across the state and the refuge may no longer be needed for that purpose.

The area is currently closed from September 1st until waterfowl seasons end in the middle of December. Eliminating the closed area would extend the season for fishing, canoeing, kayaking and allow more time for deer, turkey and small game hunting.

10. Do you favor eliminating the refuge/closed area at Mekan Springs, Waushara County and allowing all normal hunting, fishing, and trapping activities during the fall season?

10. YES _____ NO _____

QUESTION 11. Simplify pheasant hunting regulations at Richard Bong State Recreation Area in Kenosha County by eliminating the arm band requirement (2014).

Pheasant hunters at the Richard Bong State Recreation Area are currently required to wear an arm band, purchased each day at the check-in station, while hunting. The primary intent of this requirement is to make it easy for law enforcement staff to identify hunters who have entered the property without paying the daily pheasant hunting fee. However, the arm band requirement is time consuming and relatively expensive to implement. There may be a number of simple alternatives to issuing arm bands, such as issuing a paper receipt confirming payment was made. Law enforcement could request the receipt when they periodically conduct license checks.

11. Do you favor simplifying pheasant hunting regulations at Richard Bong State Recreation Area in Kenosha County by eliminating the requirement to wear an arm band?

11. Yes _____ No _____

QUESTION 12. Establish a controlled dove hunt at Bong State Recreation Area in Kenosha County in order to improve hunter satisfaction by reducing hunter interference (2014).

Richard Bong Recreation Area, located in Kenosha County, currently experiences very heavy dove hunting pressure that detracts from the quality of the hunting experience in the southwest part of the property. Prior to department ownership, the Special Use Zone was to be an aircraft runway and a little over two miles of gravel was laid and shallow run-off ponds were built. When the property became a recreation area the runway and surrounding area were set aside to support a variety of activities, many non-traditional for department lands, because of the heavy disturbance. The area is also very attractive to doves and dove hunters as well as many other people who use the area for a variety of activities in September.

This proposal would create a 300 acre controlled hunting area in the Special Use Zone where hunters are restricted to 8 locations identified by posts. Only 3 hunters would be allowed per post and they must hunt within 10 feet of the posts. Hunters could only shoot to the south. In the remaining portions of the park open to hunting, hunters would not be restricted to a specific area to hunt doves.

This proposal is intended to improve the hunting experience and safety by reducing over-crowding.

10. Do you favor establishing a controlled dove hunt at Bong State Recreation Area in Kenosha County in order to improve hunter satisfaction by reducing hunter interference?

12. Yes _____ No _____

Question 13. Increase the daily pheasant hunting fee at Bong State Recreation Area in Kenosha County from \$3.00 to \$12.00 (\$5.00 if stocking did not occur that day) because the current fee is not sufficient to cover the cost of this stocking program (2014).

At Richard Bong Recreation Area hunters pay a daily hunting fee of \$3.00 to hunt stocked pheasants with a daily bag limit of two birds after opening weekend. This fee has not been updated since being established in 1982. An increase to \$12.00 (\$5.00 if stocking did not occur that day) will allow the fees

collected from the managed pheasant hunt program to more closely meet the expense of the stocking program.

This recreation area is the only property that is stocked daily for much of the season, including weekends. The intensive stocking allows the department to provide a high quality hunt even with some of the most significant hunting pressure of any department-managed property. Staff at the property receive periodical shipments of birds from the state game farm, hold them in flight pens on the property, and then catch, crate and distribute them daily. Additional check-in procedures, facility maintenance, and regular stocking are labor intensive with expenses that significantly exceed the revenue generated by the daily \$3.00 fee. A fee increase will help support this very popular hunting opportunity in an area of the state where there is significant demand for quality public hunting opportunities.

13. Do you favor increasing the daily pheasant hunting fee at Bong State Recreation Area in Kenosha County from \$3.00 to \$12.00 (\$5.00 if stocking did not occur on that day) because the current fee is not sufficient to cover the cost of this stocking program?

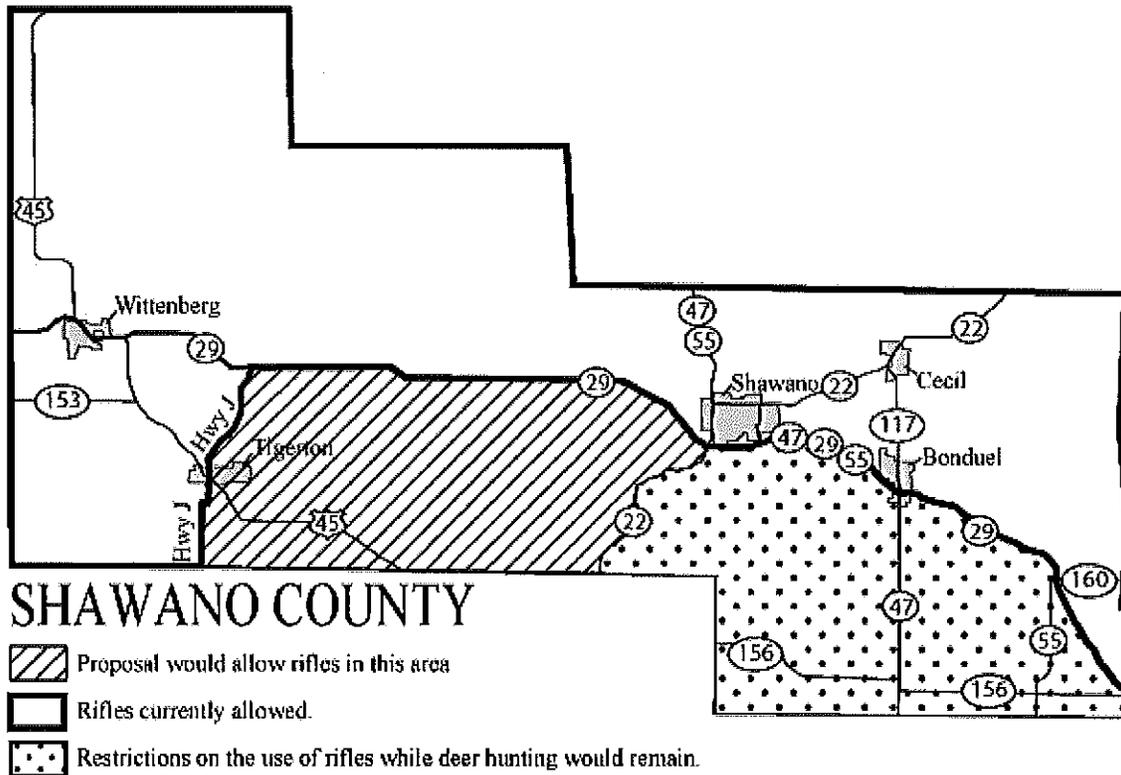
13. YES _____ NO _____

Question 14. Allow the use of rifles for firearm deer hunting in Shawano County (2014).

Currently, rifles are not allowed for deer hunting in Shawano County in areas south of State HWY 29 and east of County HWY J. Firearm season deer hunters are restricted to shotguns, handguns, and muzzleloaders. This proposal would expand the area where rifles are allowed to include the portion of Shawano County bounded by Highway 29 on the north, County Highway J on the west, the Waupaca County boundary on the south, and Highway 22 on the east.

The department does not view the current prohibition as necessary for biological or safety reasons. As a Conservation Congress advisory question at 2011 spring hearings, this proposal was supported in Shawano County and statewide by a vote of Ayes, 2,305; Noes, 801.

If approved, this proposal would be in effect for the 2014 firearm deer season and there is a possibility that it could be implemented in 2013, however, notice of the rule change could not be provided in regulations pamphlets because of printing deadlines.



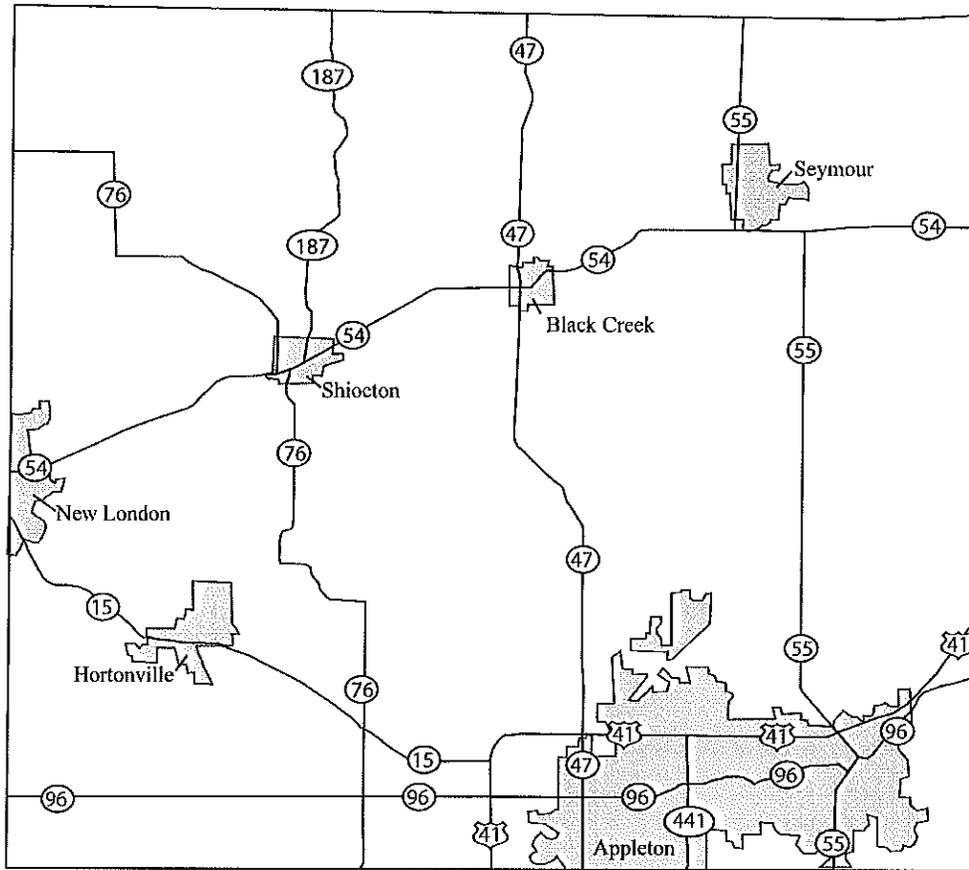
14. Do you support expanding the area of Shawano County where rifles may be used for deer hunting to include the area bounded by Highway 29 on the north, County Highway J on the west, the Waupaca County boundary on the south, and Highway 22 on the east?

14. YES _____ NO _____

QUESTION 15. Allow the use of rifles for firearm deer hunting in Outagamie County (2014).

Currently, rifles are not allowed for deer hunting in Outagamie County and firearm season deer hunters are restricted to shotguns, handguns, and muzzleloaders. The department does not view the current prohibition as necessary for biological or safety reasons. This proposal would allow the use of rifles in areas of Outagamie County north of Hwy 54 during the gun deer season.

As a Conservation Congress advisory question at 2012 spring hearings, allowing rifles in the area north of Hwy 54 was supported in Outagamie County and statewide by a vote of Ayes, 2,103; Noes, 703. If approved, this proposal would be in effect for the 2014 firearm deer season and there is a possibility that it could be implemented in 2013, however, notice of the rule change could not be provided in regulations pamphlets because of printing deadlines.



OUTAGAMIE COUNTY

15. Do you support allowing the use of rifles North of Highway 54 in Outagamie County during the gun deer season?

15. YES _____ NO _____

Department Advisory Questions

QUESTION 16 to 19. Regulations for training dogs that will be used to hunt wolves.

2011 ACT 169 established a wolf hunting season and authorized the hunting of wolves with the aid of dogs. Although training dogs to hunt wolves is currently not allowed as the result of an injunction from the courts, it may be allowed if rules are written. There are very few rules currently in place that would apply to training dogs to hunt wolves, unless new rules are written.

Under this proposal, training dogs would be prohibited during most of the year, including the summer period. Training dogs would be allowed during the period of the hunting season when it is also legal to hunt wolves with dogs and in March (day after the nine-day gun deer season through March 31).

Dog trainers would be limited to using no more than six dogs in a pack, although dogs could be replaced with fresh dogs as long as there are not more than six dogs used at one time. This six dog restriction is identical to regulations that are already in place for hunting wolves with dogs and for training and hunting bears with dogs.

Dogs used in training would be required to possess some form of identification such as a tattoo or collar with the owner's name and address attached. A person using the dogs would also be required to possess rabies vaccination tags for the dogs. This is identical to regulations currently in place for hunting wolves with dogs and for training and hunting bears with dogs.

At times when the season for hunting wolves with the aid of dogs is open, people who are training, but not hunting, would need to follow normal hunting hours. People who are actually hunting wolves with dogs are limited to daylight hours under current rules. This regulation would eliminate the need for conservation wardens to determine who is hunting and who is only training if they receive a complaint.

16. Do you favor limiting the training of dogs used to hunt wolves to the period beginning on the day after the nine day gun deer season through March 31?

16. YES _____ NO _____

17. Do you favor limiting people who are training dogs to hunt wolves to using no more than six dogs in a pack, with the replacement of dogs allowed as long as there are no more than six dogs used at one time?

17. YES _____ NO _____

18. Do you favor requiring that dogs used in training possess some form of identification such as a tattoo or collar with the owner's name and address attached, and that the owner possess the dogs vaccination tags while afield?

18. YES _____ NO _____

19. Do you favor establishing that dog training for wolves is limited to normal hunting hours at times when the season for hunting wolves with the aid of dogs is also open?

19. YES _____ NO _____

Questions 20 to 31. Expanding open water hunting opportunities for waterfowl (local question, various counties).

Wisconsin has a long tradition of restricting waterfowl hunting to the near shore and marsh areas of lakes and flowages. This provides safe open water resting areas for migrating waterfowl and may help ducks remain in an area for a longer period during the hunting season. However, "open water" hunting is allowed on some large lakes and the Great Lakes where it is believed that open water hunting does not eliminate safe resting areas. This type of hunting may involve specialized boats and other equipment and

primarily targets diving species of ducks. All open water blinds must be removed at the close of hunting hours each day.

The waters where open water hunting is currently allowed are:

- Grant County and the Lake Pepin portions of the Mississippi river (non-refuge areas) regardless of the distance from shore provided the blinds are securely anchored.
** Federal laws do not allow hunting in open water beyond 100 feet from shore near Potosi, Wisconsin river mile 586.3 to 592.1 in Grant County.*
- Big Green Lake, Lake Superior, Lake Michigan and Green Bay provided if beyond 500 feet of any lake or bay shoreline. Blinds do not have to be anchored in these areas.
- Lake Winnebago and Petenwell flowage if more than 1,000 feet from any shoreline including islands provided blinds are securely anchored.

Following a citizen request to increase hunting opportunities by expanding the number of lakes available for open water duck hunting, an ad hoc committee of citizens conducted a statewide review of 130 of the state's largest lakes. Nine local meetings were held around the state. The committee recommended that the following 12 (Poygan and Winneconne are considered one lake) be considered for open water duck hunting. The committee recommended an additional lake that is no longer included because it was not supported during voting on an advisory question in 2012.

Beaver Dam Lake in Dodge County (excluding Rakes and Trestle Works Bays), Lake Butte des Morts in Winnebago County, Lakes Poygan and Winneconne in Waushara and Winnebago counties, Castle Rock Lake in Adams and Juneau counties (south of railroad bridge and county road G), Grindstone Lake in Sawyer County, Fence, North Twin and Trout Lakes in Vilas County, Lake Puckaway in Marquette and Green Lake counties (the waters west of the west end of the dredge bank, excluding the waters east of the west end of the dredge bank), Shawano Lake in Shawano County, Lake Wisconsin in Sauk and Columbia counties (north of railroad bridge), Lake Wissota in Chippewa County (south of county road S and north of county road X),

In order to increase areas available to waterfowl hunters and to provide more opportunities for a unique type of waterfowl hunting, do you favor allowing hunting from open water areas if the hunter is more than 1,000 feet from shoreline including islands on the following waters or portions of waters?

Beaver Dam Lake in Dodge County (excluding Rakes and Trestle Works Bays).

20. Yes ___ No ___

Lake Butte des Morts in Winnebago County.

21. Yes ___ No ___

Lakes Poygan and Winneconne in Waushara and Winnebago counties.

22. Yes ___ No ___

Castle Rock Lake in Adams and Juneau counties (south of railroad bridge and county road G).

23. Yes ____ No ____

Grindstone Lake in Sawyer County.

24. Yes ____ No ____

Fence Lake in Vilas County.

25. Yes ____ No ____

North Twin Lake in Vilas County.

26. Yes ____ No ____

Trout Lake in Vilas County.

27. Yes ____ No ____

Lake Puckaway in Marquette and Green Lake counties (the waters west of the west end of the dredge bank, excluding the waters east of the west end of the dredge bank).

28. Yes ____ No ____

Shawano Lake in Shawano County.

29. Yes ____ No ____

Lake Wisconsin in Sauk and Columbia counties (north of railroad bridge).

30. Yes ____ No ____

Lake Wissota in Chippewa County (south of county road S and north of county road X).

31. Yes ____ No ____

Question 32. Canada Goose hunting simplification, reducing the size of the Horicon Zone.

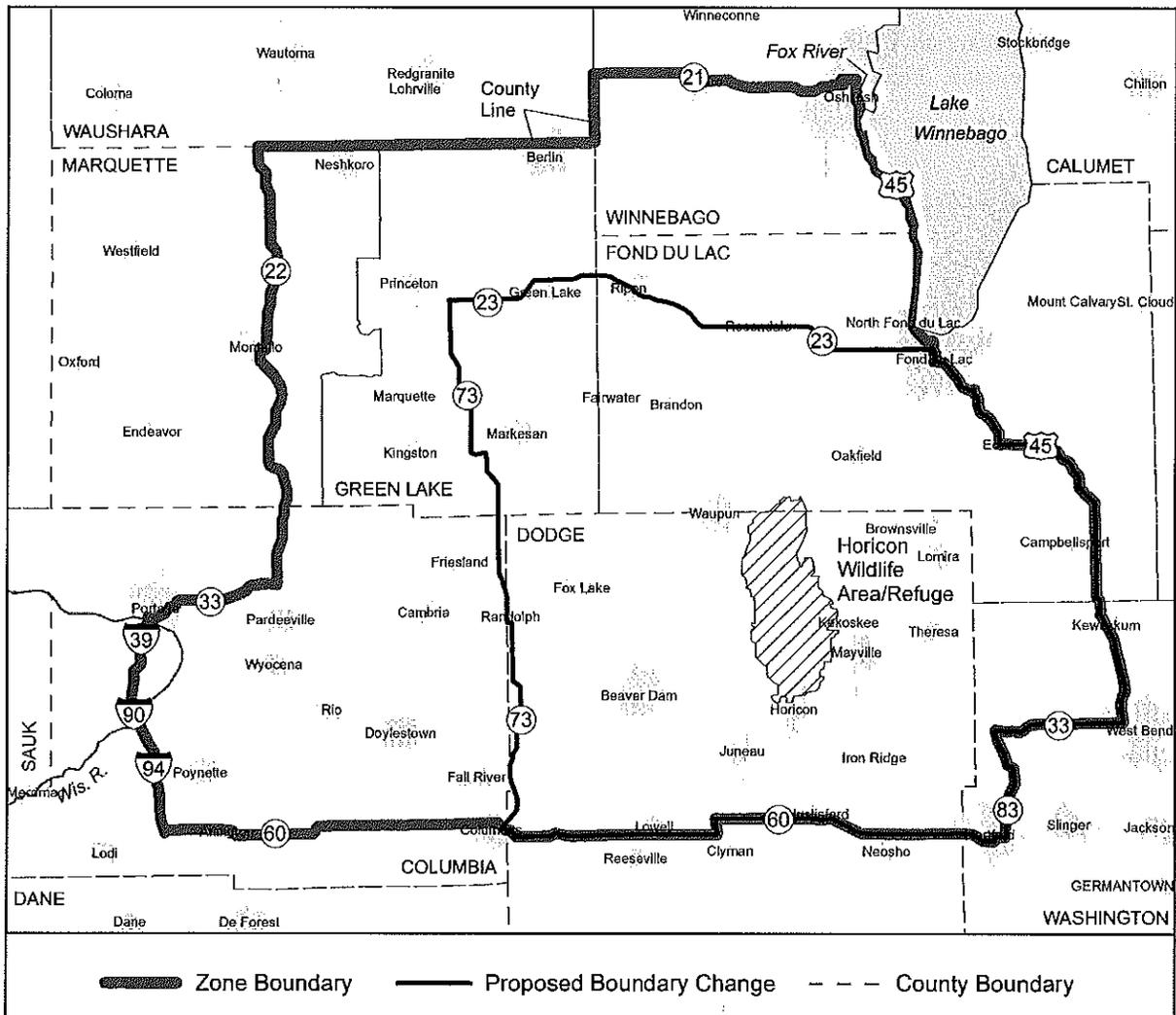
In an effort to provide additional hunting opportunity and simplify regulations, while still protecting the Ontario nesting Canada geese from overharvest, it may be possible to shrink the size of the Horicon Zone. Areas removed from the Horicon Zone would become part of the Exterior Zone.

During regular Canada goose seasons in the Horicon and Exterior Zones, Wisconsin harvests geese from 2 nesting populations; geese that nest locally and geese that nest in wilderness areas of northern Ontario. Harvest of the Ontario population is shared among several states and is managed to avoid overharvest. The Horicon Zone is an area where the Ontario nesting geese concentrate during migration and regulations are designed to avoid overharvest. Maintaining the

Horicon Zone regulations is important because more than 20% of the statewide regular season harvest occurs in the counties near Horicon Marsh.

However, Canada goose hunting regulations are regularly reviewed and can adapt to changes in hunting pressure and goose distribution. In recent years, greater than 80% of the Canada goose harvest within the Horicon Zone has occurred in Dodge and Fond du Lac counties. The band recoveries from Canada geese that nest in northern Ontario are highest on the eastern counties of the Horicon Zone within about 20 miles of the Horicon Marsh. Western and northern areas of the Horicon Zone experience very low Canada goose harvest. Based on these data and suggestions offered during meetings in 2012, the Department proposes shrinking the Horicon Canada goose hunting zone by establishing the western boundary at Highway 73 and the northern boundary at Highway 23.

HORICON ZONE

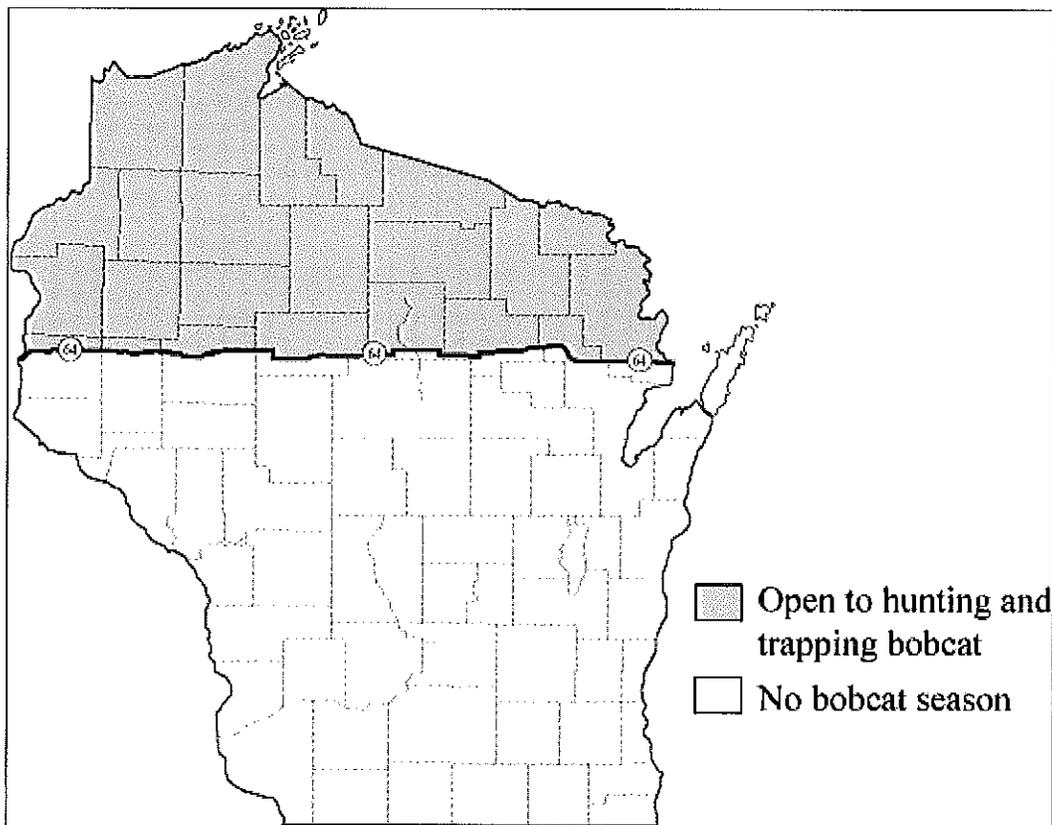


32. Do you favor shrinking the Horicon Zone by moving the northern boundary south to Hwy 23 and the west boundary to Hwy 73 (see map)?

32. Yes ___ No ___

Question 33. Expand the area where bobcat hunting and trapping are legal.

Bobcat hunting and trapping are currently allowed north of State Highway 64. This area is where the department has developed a population estimate and is managing harvest based on established goals which are important to maintain the bobcat population.



Many people have commented to the department that bobcats occur in areas south of State Highway 64 and are interested in expanding the current harvest zone. Research currently occurring in this region may provide the department with important information in determining if controlled harvest would be reasonable.

If new information suggests a huntable population of bobcats in areas of the state where hunting and trapping are not currently allowed, would you support creating a new zone or otherwise expanding the area where hunting and trapping are currently allowed?

33. Yes ___ No ___

ADMINISTRATIVE RULES FISCAL ESTIMATE AND ECONOMIC IMPACT ANALYSIS

Type of Estimate and Analysis

Original Updated Corrected

Administrative Rule Chapter, Title and Number

WM-01-13 relating to hunting, trapping, closed areas, dog training, and the use of department lands.

This rule modifies Ch.'s NR 10 related to Game and Hunting, NR 11 related to closed areas, NR 17 related to Dog Trials and Training, and NR 45 related to the use of department properties.

Subject

Economic impact analysis for public comment relating to hunting, trapping, closed areas, dog training, and the use of department lands.

Fund Sources Affected

Chapter 20 , Stats. Appropriations Affected

GPR FED PRO PRS SEG SEG-S

20.370(1)(mu)

Fiscal Effect of Implementing the Rule

No Fiscal Effect
 Indeterminate

Increase Existing Revenues
 Decrease Existing Revenues

Increase Costs
 Could Absorb Within Agency's Budget
 Decrease Costs

The Rule Will Impact the Following (Check All That Apply)

State's Economy

Specific Businesses/Sectors

Local Government Units

Public Utility Rate Payers

Would Implementation and Compliance Costs Be Greater Than \$20 million?

Yes No

Policy Problem Addressed by the Rule

All of the policies in this rule are generally consistent with past board policies of regulating fish and game harvest for conservation purposes. These rule changes are proposed for inclusion on the 2013 Spring Hearing rules package and questionnaire. This rule package will create and amend regulations for hunting, trapping, closed areas, dog training, and the use of department lands found in Ch's. NR 1, 10, 11, 17 and 45.

This analysis is required under s. 227.137 Stats. It has been prepared as part of the normal rule making process. The effort involved and sophistication of this analysis are limited but sufficient given the minimal economic impact of these rules. Due to the excessive time required, no effort was made to calculate a net benefit using formal cost-benefit analysis techniques.

Pursuant to the Governor's Executive Order 50, Section II, this is a level 3 economic impact analysis. A notice for Solicitation of comments on this analysis was posted on the department's website from November 26 through December 10 and various interest groups were contacted by email. The department received a handful of comments in support of individual provisions of the rule but no comments on economic impacts to businesses, local governments, or individuals.

Specifically, these rules would;

1. Simplify pheasant hunting regulations by eliminating the requirement to tag harvested birds at stocked hen/rooster pheasant hunting areas. Instead, field dressed carcasses of all birds would need to retain

- proof of species and sex identification while being transported.
2. Simplify firearm deer hunting regulations by allowing the use of rifles statewide. Currently, only shotguns may be used in some areas. If the statewide use of rifles were not to win support at some point during the rule making process, the department would consider expanding rifle use in individual counties including, but not limited to, Shawano and Outagamie as recommended in Conservation Congress voting.
 3. Simplify mink and muskrat trapping regulations by creating more consistent opening dates throughout the state and require reporting the harvest of certain species such as otter and fisher within 24 hours.
 4. Establish a controlled dove hunt at Bong State Recreation Area in Racine County in order to improve hunter satisfaction by reducing hunter interference.
 5. Simplify regulations for pheasant hunters at Richard Bong State Recreation Area in Racine County, including eliminating the arm band requirement for pheasant hunters.
 6. Lengthen the period of time that trappers have to check weasel traps, as recommended in voting by the Conservation Congress in 2012.
 7. Eliminate the refuge/closed area at Mekan Springs, Waushara County, as recommended in voting by the Conservation Congress in 2012.
 8. Establish that, when the bear hunting season is open, hunting hours apply to people who are training bear hunting dogs as well as to people who are hunting bears.
 9. Establish that, in addition to collecting certain food items, it is also legal to cut and gather willow stakes on department managed lands for non-commercial uses. Willow stakes are often used by trappers.
 10. Allow unattended, overnight placement of portable tree stands on department managed lands.
 11. Increase the daily pheasant hunting fee at Bong State Recreation Area in Racine County from \$3.00 to \$12.00 (\$5.00 if stocking was not done on the previous day) because the current fee is not sufficient to cover the cost of this stocking program.

Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)

These proposals will contribute to providing good opportunities for hunting and trapping and maintenance of the economic activity generated by people who participate in those activities. However, these rules are not expected to significantly affect currently available outdoor opportunities and no significant impacts to the economic activities of hunters, trappers, or outdoor recreation enthusiasts are expected.

State Fiscal Impact

This proposal would increase the daily fee for pheasant hunting at Richard Bong Recreation Area from \$3.00 to \$12.00. The daily bag limit is two birds per day beginning on the third day of the season (1 per day on opening weekend). Increasing the daily hunting fee at Richard Bong State Recreation Area will generate approximately \$100,000 in additional revenue and will not create any additional costs. This proposal aims to make the Managed Hunt Program a self-sufficient operation so that statewide hunters and fisherman are not subsidizing those that partake in the managed hunt program at Richard Bong.

Eliminating the requirement to tag harvested pheasants at certain department properties will reduce the department's costs annually by at least \$6,752 which is the current cost to print the tags. The department will benefit from some reduced costs for shipping tags, but this will be limited because much distribution is done jointly with other materials that will still need to be distributed.

Other provisions of this rule will not have a fiscal impact on the department. The department already administers seasons and enforces regulations related to all of the other hunting and trapping opportunities that are modified by this rules package. No new expenses or revenues are anticipated as a result of these proposals.

Small Business Impacts

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. 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.

Economic Impacts

This rule contains a proposal to increase the daily fee for pheasant hunting at Richard Bong Recreation Area from \$3.00 to \$12.00. The daily bag limit is two birds per day beginning on the third day of the season (1 per day on opening weekend). A survey of privately owned southern Wisconsin pheasant game farms showed that most charge between \$44.00 and \$50.00 for two birds. The Illinois Department of Natural Resources conducts similar managed pheasant hunts and charges \$25.00 per day with a daily bag limit of two. Because the fee at the recreation area will continue to be significantly lower than similar opportunities available in the region, no shift in hunting activity or hunter's related expenditures is anticipated. Some private game farm owners likely consider the department's stocking program to be competitive with their businesses. However, some private game farm owners have indicated they believe that department's pheasant stocking maintains public interest in pheasant hunting and ultimately results in more people seeking the additional opportunities provided by private game farms. In either case, no impacts are anticipated.

Allowing the use of rifles for firearm deer hunting statewide will result in an increase in firearm sales in subsequent years. Many hunters perceive that hunting deer with rifles is preferable to hunting with shotguns, muzzleloaders, or handguns. Because ordering and shipping firearms is difficult, many or most of these purchases will occur at shops in Wisconsin. It is difficult to estimate how many purchases will occur because people would still be able to hunt with shotguns, muzzleloader and handguns. Purchases may be spread out over a period of years as people update their firearms. While the amount of economic impact is difficult to estimate, an increase in firearm sales would be an assured result of this rule change and is something that sporting goods outlets are already anticipating.

Other proposed rule changes are not expected to significantly influence the spending activities or hunting and trapping activity of hunters, trappers, dog trainers, or other outdoor enthusiasts. Correspondingly, no related economic impacts are anticipated.

Public Utility Rate Payers

These proposed rules will have no impact on public utility rate payers.

Local Governmental Units

These rules do not establish any requirements for local governments. These rules are unlikely to have a significant economic impact on local economies because of the limited number of participants in a wolf hunting or trapping season in any given year.

Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

This rule proposes several simplifications to existing regulations. Eliminating the requirement that some pheasants be tagged immediately upon harvest will simplify regulations for hunters as well as simplifying the department's administrative procedures.

The use of firearms for deer hunting is restricted to shotguns, muzzleloaders and handguns only in certain portions of the state. At one time people generally believed that these firearms were safer but research and experience indicate that is not the case. Allowing the use of rifles statewide will be a simplification of regulations.

Currently there are four separate zones for mink and muskrat harvest, with slightly different opening or closing dates. This proposal would consolidate zones in order to eliminate regulations that are no longer needed.

Richard Bong Recreation Area, located in Racine County, currently experiences very heavy dove hunting pressure that detracts from the quality of the hunting experience. The purpose in creating a controlled dove hunt area on the Richard Bong State Recreation Area (RBSRA) is to improve the quality of the hunting experience and prevent conflict with Special Use Zone user groups.

Currently, there are no restrictions on the time of day for training bears. In the past, training dogs by trailing wild bears was not legal during the hunting season for bears. With the passage of 2011 ACT 28, dog training is now allowed during the bear hunting season. This proposal will require that all bear pursuit activities take place only during daylight hours when the bear hunting season is open in order to eliminate the need to determine who is hunting and who is only training. Bear dog training typically is done during daylight hours so this will not result in a significant loss of opportunity.

Collecting plants from department managed lands is generally prohibited except for some edibles and the removal of invasive plants. This proposal would also allow collecting willow stakes on department managed lands for non-commercial uses. Willow stakes are often used by trappers for marking trap locations and anchoring traps. Willow is a fast growing species that, although native, is sometimes considered invasive in certain areas.

Currently the overnight, unattended placement of tree stands for hunting is not allowed on department managed lands. This regulation is designed to prevent the "staking out" or making advance claims to hunting locations in favor of a first-come-first served practice. However, the overnight placement, remaining in place for as long as an entire season, of stands is allowed on some lands may also be practical on department lands.

At Richard Bong Recreation Area hunters pay a daily entrance fee of \$3.00 to hunt stocked pheasants and the daily bag limit is two birds. This fee has not been updated since being established in 1982. An increase to \$12.00 (\$5.00 if stocking was not done on the previous day) will allow the managed pheasant hunt program to continue in a sustainable manner while improving the quality and consistency of the hunt for program participants.

Long Range Implications of Implementing the Rule

The long range implications of this rule proposal will be the same as the short term impacts. These proposals will contribute to providing good opportunities for hunting and trapping and maintenance of the economic activity generated by people who participate in those activities.

Compare With Approaches Being Used by Federal Government

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.

Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

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.

The Illinois Department of Natural Resources conducts similar managed pheasant hunts and charges \$25.00 per day with a daily bag limit of two.

Name and Phone Number of Contact Person

Scott Loomans, Wildlife Regulation Policy Specialist, 608-267-2452.

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

The statement of scope for this rule, SS 062-12, was approved by the Governor on August 14, 2012, published in Register No. 680, on August 31, 2012, and approved by the Natural Resources Board on September 26, 2012. This permanent rule was approved by the Governor on _____.

The Wisconsin Natural Resources Board proposes an order to repeal NR 10.001(23v) and (24), 10.01(2)(c)3. to 7., 10.09(1)(c)3., 11.011; to amend 10.01(3)(e), 10.01(3)(et)1., 10.01(3)(ev), 10.101(2)(b) and (c) note, 10.145(8)(a), 10.15(2) and (intro), 10.24(5), 17.08(2)(c)(intro.), NR 17.08(3)(c)(intro.) and (Note), 45.04(1)(a)1., 45.09(2), 45.12(4)(f)2.a., to repeal and recreate 10.01(4)(a), 10.01(4)(e); and to create 10.08(6) and (intro.), 10.13(3)(c)4., 10.24(10), 17.04(3)(d)(intro.) and (Note) relating to hunting, trapping, closed areas, dog training, and the use of department lands.

WM-01-13

Analysis Prepared by the Department of Natural Resources

Statutory Authority and Explanation of Agency Authority: The chapter on wild animals and plants, in s. 29.014, Stats., “rule making for this chapter”, establishes that the department shall maintain open and closed seasons for fish and game and any limits, rest days, and conditions for taking fish and game. This grant of rule-making authority allows the department to make changes related to deer hunting and management, simplify Canada goose hunting regulations, eliminate previous rules on the possession of hen pheasants but require that the species and sex of birds being transported be identifiable. This section authorizes other rule-making such as establishing the types of firearms that may be used for hunting, waterfowl hunting regulations, and bear and wolf pursuit regulations and other hunting regulations. Finally, this section authorizes setting season dates for species such as coyotes, mink and muskrat and establishing trap-check and carcass harvest reporting requirements.

The establishment of game refuges is authorized in s. 23.09(2)(b), Stats., relating to the department’s ability to designate locations reasonably necessary for the purpose of providing safe retreats in which birds may rest and replenish adjacent hunting grounds.

Managed hunting opportunities which control activities within zones at Bong Air Base, the Richard Bong Recreation Area, are authorized by ss. 23.09(13) and 23.091, Stats. Special fees for use of the recreation areas for certain types of visitation, such as pheasant hunting, are authorized under s. 27.01(9)(c), Stats.

Statutes Interpreted and Explanation: Sections 23.095, 23.11 and 29.014, Stats. allow for the protection of natural resources, establish general department powers, and authority to establish hunting and trapping regulations on department managed lands including regulations on the placement of hunting stands and blinds, collecting willow stakes, and training dogs to pursue wild animals.

Under 2011 ACT 50, the department is prohibited from establishing regular firearm deer seasons that occur earlier than the Saturday before the Thanksgiving holiday. This rule proposal makes changes of a housekeeping nature by striking rule language that is no longer in effect as a result of the ACT.

Under 2011 ACT 28, bear dog training is now allowed during the open season for hunting bears with dogs. This rule will establish that the hours for hunting bear also apply to people who are training dogs to pursue bear, but only at times when the hunting season for bears is open.

Related Statute or Rule: A permanent rule related to reporting the harvest of wolves and training dogs used to pursue wolves, WM-08-12, is also being promulgated by the department. That rule cites the same scope statement that authorized promulgation of this rule, SS 062-12 and amends the same sections related to harvest reporting except the species affected in this proposal are fisher and otter. Additionally, it is the department's intention to promulgate housekeeping rules that will make Fish, Game and Enforcement, Forestry and Recreation chapters of Adm. Code consistent with various ACTS of the legislature in its 2011-2012 Session. The housekeeping rule will be modifying the same chapters as this proposed rule. Finally, the department intends to promulgate rules related to migratory bird hunting that will also modify the same chapters as this proposal.

Plain Language Rule Analysis: These rule changes are proposed for inclusion on the 2013 Spring Hearing rules package and questionnaire. This rule package will create and amend regulations for hunting, trapping, closed areas, dog training, and the use of department lands found in Ch's. NR 10, 11, 17 and 45, Wis. Adm. Code.

SECTIONS 1, 3 to 5, 9 and 13 simplify firearm deer hunting regulations by allowing the use of rifles statewide. Currently, only shotguns, muzzleloaders and handguns may be used in some areas. If the statewide use of rifles were not to win support during the rule making process, the department would consider expanding rifle use in Shawano and Outagamie as recommended in spring hearing voting. These sections also make housekeeping updates in response to 2011 ACT 50 which prohibited certain firearm deer seasons from being held prior to the Saturday before the Thanksgiving holiday.

SECTIONS 2 and 8 simplify pheasant hunting regulations by eliminating the requirement to tag harvested birds at stocked hen/rooster pheasant hunting areas. Instead, field dressed carcasses of pheasants would need to retain proof of species and sex identification while being transported.

SECTIONS 6 and 7 simplify mink and muskrat trapping regulations by creating more consistent opening dates throughout the state.

SECTIONS 10 and 15 to 17 establish that, when the bear hunting season is open, hunting hours apply to people who are training bear hunting dogs as well as to people who are hunting bears.

SECTION 11 establishes that certain traps placed for weasels need to be checked by the trapper at least once every four days instead of daily.

SECTION 12 requires reporting the harvest of otter and fisher within 24 hours.

SECTION 14 simplifies regulations for pheasant hunters at Richard Bong State Recreation Area in Racine County, including eliminating the arm band requirement for pheasant hunters.

SECTION 13 establishes a controlled dove hunt at Bong State Recreation Area in Racine County in order to improve hunter satisfaction by reducing hunter interference.

SECTION 14 eliminates the refuge/closed area at Mecan Springs, Waushara County, as recommended in voting by the Conservation Congress in 2012.

SECTION 18 establishes that, in addition to collecting certain food items, it is also legal to cut and gather willow stakes on department managed lands for non-commercial uses, if prior permission is obtained from the property manager. Willow stakes are often used by trappers and individuals using licensed set lines and bank poles.

SECTION 19 allows unattended, overnight placement of portable stands and blinds on department owned and managed lands from September 1 through the following January 31.

SECTION 20 increases the daily pheasant hunting fee at Bong State Recreation Area in Racine County from \$3.00 to \$12.00 (\$5.00 if stocking did not occur on that day) because the current fee is not sufficient to cover the cost of this stocking program.

Federal Regulatory Analysis: 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.

Summary of Factual Data and Analytical Methodologies: All of the policies in this rule are generally consistent with past board policies of regulating fish and game harvest for conservation purposes.

The harvest of hen pheasants is generally prohibited in the wild but is allowed at certain stocked public hunting grounds. Hunters at these properties must tag the leg of harvested birds before transporting them in any way. Eliminating the tag requirement will save money for the department. By instead requiring that all harvested bird carcasses retain evidence of species and sex identification, such as the head or a fully feathered wing, a conservation warden will still be able to identify a hen pheasant and can then verify where it was harvested.

The use of firearms for deer hunting is restricted to shotguns, muzzleloaders and handguns only in certain portions of the state. At one time people generally believed that these firearms were safer but research and experience indicate that is not the case. Allowing the use of rifles statewide will be a simplification of regulations. Residents of Shawano County have asked for a stand-alone rule proposal, in addition to the statewide proposal, so that a Shawano County proposal can advance if a statewide rule does not. In Conservation Congress voting, residents of Outagamie County have also requested expanded use of rifles.

Currently there are four separate zones for mink and muskrat harvest, with slightly different opening or closing dates. This proposal would consolidate zones in order to simplify regulations that are no longer needed.

Richard Bong Recreation Area, located in Racine County, currently experiences very heavy dove hunting pressure that detracts from the quality of the hunting experience. The purpose in creating a controlled dove hunt area on the Richard Bong State Recreation Area (RBSRA) is to prevent conflict with Special Use Zone (SUZ) user groups. The 1200 acre SUZ is located in the southwest part of the RBSRA. During the airbase construction the current SUZ area was to be the runway. The area was stripped of topsoil and a little over 2 miles of gravel was laid. Just south of the gravel runway several shallow runoff ponds were also built. When the property became a park the runway and surrounding area was designated as the SUZ

to serve as a special area to support a variety of activities, many non-traditional, because of the heavy disturbance. Administrative rules list 25 different activities permitted in the SUZ - the ones relating to this rule change are hunting, all-terrain vehicles, and dog training/trailing. The priority ranking guidance in rule helps minimize conflicts, but with the introduction of dove hunting new issues started to develop. Currently there are approximately 7-8 miles of ATV & Motor bike dirt/gravel trails north of the gravel runway. The runway area is attractive to doves because of the gravel and shallow ponds, which also attracts the dove hunters. As dove hunting grew in popularity conflicts started to occur in the SUZ. Rangers observed dove hunters within the ATV loops hunting. A hunter would setup in the loop area and wait for an ATV or Motor Bike to drive by. When the vehicle would flush the dove off the trail the hunter would stand up and shoot at the bird. Also, dove hunters hunting by the ponds would shoot in the direction of the ATV/Motor Bike trails. Fortunately no one has been injured, but changes are needed to avoid an accident. Another concern addressed by this proposal is that the pond areas are starting to become over-crowded. Several hunter groups would line the edge of the ponds shooting in different directions at doves and possibly at other hunting groups and other user groups- ATV/Motor Bike. As a result recommendations were made to create a 300 acre controlled hunting area in the SUZ where hunters are restricted to 8 locations identified by posts. Only 3 hunters are allowed per post; they must hunt within 10 feet of the posts; and they can only shoot to the south. In the remaining portions of the park open to hunting, hunters are not restricted to a specific area to hunt doves.

Arm bands must be worn by pheasant hunters at Richard Bong State Recreation Area. This requirement may no longer be needed and the department will evaluate eliminating it.

This proposal would exempt trappers from the daily trap checking requirement on dry land for certain types of sets made for weasels. Tending traps would be required at least once every four days. The trap types exempted under this proposal would be small body gripping traps contained in enclosures with an opening of a size that should prevent the capture of protected martens. Because body gripping traps are designed to kill the weasel upon capture, trappers have argued that live animals will not remaining in traps for extended periods of time. Additionally, the enclosures in which the traps are placed should prevent scavenging of trapped animals and keep them out of sight. In these specific trapping situations, daily trap checking requirements may not be needed.

Currently, there are no restrictions on the time of day for training dogs to pursue bears. In the past, training dogs by trailing wild bears was not legal during the hunting season for bears. With the passage of 2011 ACT 28, bear dog training is now allowed during the bear hunting season. This proposal will require that all bear pursuit activities take place only during lawful bear hunting hours when the bear hunting season is open in order to eliminate the need to determine who is hunting and who is only training. Bear dog training typically is done during daylight hours so this will not result in a significant loss of opportunity.

Collecting plants from department managed lands is generally prohibited except for some edible plant parts and the removal of invasive plants. This proposal would also allow collecting willow stakes on department managed lands for non-commercial uses with prior permission of the property manager. Willow stakes are often used by trappers for marking trap locations and anchoring traps. The restriction to taking only willows that are 2 ½" in diameter or less will allow taking trees that are large enough to use for bank poles and set lines but will maintain the prohibition of harvesting trees in general. Willow is a fast growing species that, although native, is sometimes considered invasive in certain areas.

Currently the overnight, unattended placement of hunting stands and blinds is not allowed on department managed lands. This regulation is designed to prevent the "staking out" or making advance claims to hunting locations in favor of a first-come-first served practice. However the overnight placement,

remaining in place for more than one day, of stands is allowed on some other public lands and may also be practical on department lands.

At Richard Bong Recreation Area hunters pay a daily entrance fee of \$3.00 to hunt stocked pheasants and the daily bag limit is two birds. This fee has not been updated since being established in 1982. An increase to \$12.00 (\$5.00 if stocking was not done on the previous day) will allow the managed pheasant hunt program to continue in a sustainable manner while improving the quality and consistency of the hunt for program participants.

Anticipated Private Sector Costs and Economic Impact of Implementing the Rule: 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. 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.

This proposal would increase the daily fee for pheasant hunting at Richard Bong Recreation Area from \$3.00 to \$12.00. The daily bag limit is two birds per day beginning on the third day of the season (1 per day on opening weekend). A survey of privately owned southern Wisconsin pheasant game farms showed that most charge between \$44.00 and \$50.00 for two birds. The Illinois Department of Natural Resources conducts similar managed pheasant hunts and charges \$25.00 per day with a daily bag limit of two. Because the fee at the recreation area will continue to be significantly lower than similar opportunities available in the region, no shift in hunting activity or hunter's related expenditures is anticipated.

Allowing the use of rifles for firearm deer hunting statewide will result in an increase in rifle sales in subsequent years. Many hunters perceive that hunting deer with rifles is preferable to hunting with shotguns, muzzleloaders, or handguns. Because ordering and shipping firearms is difficult, many or most of these purchases will occur at shops in Wisconsin. It is difficult to estimate how many purchases will occur because people would still be able to hunt with shotguns, muzzleloader and handguns. Purchases may be spread out over a period of years as people update their firearms. While the amount of economic impact is difficult to estimate, an increase in firearm sales would be an assured result of this rule change and is something that sporting goods outlets are already anticipating.

Other proposed rule changes are not expected to significantly influence the spending activities or hunting and trapping activity of hunters, trappers, dog trainers, or other outdoor enthusiasts. Correspondingly, no related economic impacts are anticipated.

Effects on Small Business: These rules are applicable to individual sportspersons and impose no compliance or reporting requirements for small businesses, and no design or operational standards are contained in the rule. Because this rule does not add any regulatory requirements for small businesses, the proposed rules will not have a significant economic impact on a substantial number of small businesses under 227.24(3m).

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

Section 1. NR 10.001(23v) and (24) are repealed.

SECTION 2. NR 10.01(2)(c)3. to 7. are repealed.

SECTION 3. NR 10.01(3)(e) is amended to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
<i>NR 10.01(3)(e) Gun deer season.</i>		The season limit is one deer unless the hunter possesses additional antlerless deer permits issued under s. NR 10.104.
1. a. All that part of the state not otherwise listed in subd. 1. b., subs. 2. to 6., or in CWD zones described in s. NR 10.28 (3).	Firearm 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.
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), 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 and east of highway J), Trempealeau national wildlife refuge, Walworth, Washington, Waukesha, 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.
e. All that part of the state not otherwise listed in subs. 2. to 5., or in CWD zones described in s. NR 10.28 (3).	4-day deer gun season beginning the second Thursday following the Thanksgiving holiday. Allowable types of guns are those authorized on the first day of the deer gun season identified in subd. 1. a.	One antlerless deer per antlerless deer permit issued under s. NR 10.104.

<p>e. Except for areas identified in subds. 2. and 3., this season may be implemented in deer management units that meet the criteria established in par. (ed) 2.</p>	<p>or b. Gun deer season beginning on the Thursday nearest October 15 and continuing for 4 consecutive days. Allowable types of guns are those authorized during the seasons listed in subd. 1. a. and b., and subd. 5.</p>	<p>One antlerless deer per antlerless deer permit issued under s. NR-10.104.</p>
<p>2. State parks and forests. No person may hunt deer with a firearm on the state-owned portions of state parks and recreation areas except as provided in this section. Portions of the properties listed may be posted closed to deer hunting. Additionally, no person may hunt deer with a firearm in Perrot, High Cliff, Lake Wissota, Peninsula, Wyalusing, Wildcat Mountain, Council Grounds, Rib Mountain, Harrington Beach, Kohler-Andrae, Brunet Island state parks or the Loew Lake Unit -Kettle Moraine state forest without first obtaining a permit which authorizes access to the park.</p>		
<p>a. Perrot (unit 61A), High Cliff (unit 64A) and Peninsula (unit 80C) state parks.</p>	<p>Muzzleloading firearm season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 9 consecutive days.</p>	<p>One buck deer and additional antlerless deer as authorized by antlerless deer permits issued under s. NR 10.104.</p>
<p>b. The following state parks and trails: Big Bay, Copper Falls, Governor Thompson, Elroy-Sparta, Hartman Creek, Interstate, the Plum Island portion of Grand Traverse Islands, Mill Bluff, Nelson Dewey, Newport, Potawatomi, Rock Island, Straight Lake, Whitefish Dunes, Wyalusing (73A) and Tuscobia-Park Falls.</p>	<p>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.</p>	<p>One buck deer and additional antlerless deer as authorized by antlerless deer permits issued under s. NR 10.104.</p>
<p>c. Kinnickinnic and Willow River state parks.</p>	<p>Shotgun <u>Firearm</u> season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 9 consecutive days.</p>	<p>One buck deer and additional antlerless deer as authorized by antlerless deer permits issued under s. NR 10.104.</p>
<p>d. Rib Mountain (unit 57D), Harrington Beach (unit 69C) and Kohler-Andrae (77E) state parks.</p>	<p>Muzzleloading firearm season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 19 consecutive days.</p>	<p>One buck deer and additional antlerless deer as authorized by antlerless deer permits issued under s. NR 10.104.</p>

<p>e. Council Grounds state park (unit 52A)</p>	<p>Shotgun Firearm season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 9 consecutive days followed by a muzzleloading firearm season beginning on the following Monday and continuing for 10 consecutive days.</p>	<p>One buck deer and additional antlerless deer as authorized by antlerless deer permits issued under s. NR 10.104.</p>
<p>f. Brunet Island (unit 23A) and Lake Wissota (unit 59E) state parks.</p>	<p>Shotgun Firearm season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 9 consecutive days.</p>	<p>One antlerless deer or one deer of either sex as authorized by deer permits issued under s. NR 10.104.</p>
<p>g. Loew Lake Unit – Kettle Moraine state forest (unit 77D).</p>	<p>Muzzleloading firearm season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 9 consecutive days.</p>	<p>One buck deer and additional antlerless deer as authorized by antlerless deer permits issued under s. NR 10.104.</p>
<p>h. Wildcat Mountain (unit 72A) state park.</p>	<p>Muzzleloading firearm season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 19 consecutive days.</p>	<p>One antlerless deer or one deer of either sex as authorized by deer permits issued under s. NR 10.104.</p>
<p>i. Buckhorn state park in the area east of 19th avenue, north of county HWY G, and north of 31st street.</p>	<p>During firearm and muzzleloader seasons established in s. NR 10.01 (3) (e) 1. a., c. and e., (es) 1., and (ev).</p>	<p>The same as established for the surrounding deer management unit.</p>
<p>3. Federal properties</p>		
<p>a. Badger army ammunition plant in Sauk county, Fort McCoy military reservation in Monroe county and Volk Field military facility in Juneau county.</p>	<p>Firearm season type as established by military permit and approved by the department by August 1 annually.</p>	<p>Sex and type of deer is as specified on permit issued by military facility.</p>
<p>Note: The department does not issue deer hunting permits for the Badger army ammunition plant, Fort McCoy and Volk Field military facilities. Hunters must apply directly to these facilities for a deer hunting permit and are limited to the type of deer specified on the permit.</p>		

b. Deer management unit 79 – Apostle Islands	Muzzleloading firearm season October 1–31.	One buck per carcass tag as described under s. NR 10.104 (15) (c). Additional deer may be taken pursuant to s. NR 10.104 (15) (d).
4. Menominee county (unit 48)	Firearm season type as established by the Menominee tribe for tribal members only.	As established by the Menominee tribe.
5. Metro units.		
a. Deer management units 59M, 60M, 64M and 77M.	Shotgun <u>Firearm</u> 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.
	4–day Shotgun <u>firearm</u> season beginning the second Thursday following the Thanksgiving holiday.	One antlerless deer per antlerless deer permit issued under s. NR 10.104.
b. Deer management unit 1M.	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
	4–day firearm season beginning the second Thursday following the Thanksgiving holiday.	One antlerless deer per antlerless deer permit issued under s. NR 10.104.

SECTION 4. NR 10.01(3)(et)1. is amended to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
NR 10.01(3)(et)1. <i>Special disease control hunts.</i>		
1. Disease management zone. a. In the portions of deer management units included in the CWD management zone established in s. NR 10.28(3), except as established in	<i>1. Archery season.</i> An archery deer hunt beginning on the Saturday nearest September 15 and continuing through the Wednesday immediately prior to the opening of the early firearm season in this section. <u>Wednesday immediately prior</u>	One deer of either sex per unused deer carcass tag or permit described under s. NR 10.104(11).

<p>subdivision paragraphs b. through d.</p>	<p><u>to the opening of the late firearm season in this section.</u></p> <p>Beginning on the Thursday nearest October 15 and continuing for 4 consecutive days.</p> <p>Beginning on the day immediately following the 4-day antlerless hunt above and continuing through the Wednesday immediately prior to the opening of the late firearm season in this section.</p> <p>Beginning the second Thursday following the Thanksgiving holiday and continuing for 4 consecutive days.</p> <p>Beginning on the day immediately following the 4-day antlerless hunt above and continuing through the Sunday nearest January 6.</p> <p>2. <i>Early firearm season.</i> A firearm deer hunt beginning on the Thursday nearest October 15 and continuing for 4 consecutive days.</p> <p>3. <i>Gun deer season.</i> A firearm deer hunt beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 9 consecutive days.</p> <p>4. <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.</p> <p>5. <i>Late firearm season.</i> A</p>	<p>One antlerless deer per unused deer carcass tag or permit described under s. NR 10.104(11).</p> <p>One deer of either sex per unused deer carcass tag or permit described under s. NR 10.104(11).</p> <p>One antlerless deer per unused deer carcass tag or permit described under s. NR 10.104(11).</p> <p>One deer of either sex per unused deer carcass tag or permit described under s. NR 10.104(11).</p> <p>One antlerless deer per unused deer carcass tag or permit described under s. NR 10.104(11).</p> <p>One deer of either sex per unused deer carcass tag or permit described under s. NR 10.104(11).</p> <p>One deer of either sex per unused deer carcass tag or permit described under s. NR 10.104(11).</p> <p>One antlerless deer per</p>
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	<p>firearm deer hunt beginning on the second Thursday following the Thanksgiving holiday and continuing for 4 consecutive days.</p> <p><i>6. Holiday firearm season.</i> A firearm deer hunt beginning on December 24 and continuing through the Sunday nearest January 6.</p>	<p>unused deer carcass tag or permit described under s. NR 10.104(11).</p> <p>One deer of either sex per unused deer carcass tag or permit described under s. NR 10.104(11).</p>
<p>b. Unit 76M.</p>	<p><i>1. Archery season.</i> An archery deer hunt beginning on the Saturday nearest September 15 and continuing through the Wednesday immediately prior to the opening of the early firearm season in this section. <u>Wednesday immediately prior to the opening of the late firearm season in this section.</u></p> <p>Beginning on the Thursday nearest October 15 and continuing for 4 consecutive days.</p> <p>Beginning on the day immediately following the 4-day antlerless hunt above and continuing through the Wednesday immediately prior to the opening of the late firearm season in this section.</p> <p>Beginning the second Thursday following the Thanksgiving holiday and continuing for 4 consecutive days.</p> <p>Beginning on the day immediately following the 4-day antlerless hunt above and continuing through the Sunday nearest January 6.</p> <p><i>2. Early shotgun season.</i> A shotgun hunt beginning on the Thursday nearest October 15 and continuing for 4</p>	<p>One deer of either sex per unused deer carcass tag or permit described under s. NR 10.104(11).</p> <p>One antlerless deer per unused deer carcass tag or permit described under s. NR 10.104(11).</p> <p>One deer of either sex per unused deer carcass tag or permit described under s. NR 10.104(11).</p> <p>One antlerless deer per unused deer carcass tag or permit described under s. NR 10.104(11).</p> <p>One deer of either sex per unused deer carcass tag or permit described under s. NR 10.104(11).</p> <p>One antlerless deer per unused deer carcass tag or permit described under s. NR 10.104(11).</p>

	<p>consecutive days.</p> <p>3. Shotgun <u>Firearm</u> deer season. A <u>shotgun firearm</u> hunt beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 9 consecutive days.</p> <p>4. <u>Muzzleloader</u> season. 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.</p> <p>5. Late shotgun <u>firearm</u> season. A <u>shotgun firearm</u> hunt beginning on the second Thursday following the Thanksgiving holiday and continuing for 4 consecutive days.</p> <p>6. Holiday shotgun <u>firearm</u> season. A <u>shotgun firearm</u> hunt beginning on December 24 and continuing through the Sunday nearest January 6.</p>	<p>One deer of either sex per unused deer carcass tag or permit described under s. NR 10.104(11).</p> <p>One deer of either sex per unused deer carcass tag or permit described under s. NR 10.104(11).</p> <p>One antlerless deer per unused deer carcass tag or permit described under s. NR 10.104(11).</p> <p>One deer of either sex per unused deer carcass tag or permit described under s. NR 10.104(11).</p>
<p>c. Belmont Mound, Cadiz Springs, Devil's Lake, Mirror Lake, Natural Bridge, New Glarus Woods, Rocky Arbor and Yellowstone state parks.</p>	<p>1. Early firearm season. A <u>firearm</u> 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)(c). 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.</p> <p>2. <u>Gun deer</u> season. A firearm deer hunt beginning on the</p>	<p>One antlerless deer per unused deer carcass tag or permit described under s. NR 10.104(11).</p> <p>One deer of either sex per unused deer carcass tag or</p>

	<p>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).</p> <p>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.</p> <p>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).</p> <p>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.</p> <p>Beginning the second Thursday following the Thanksgiving holiday and continuing for 4 consecutive days.</p> <p>Beginning on the day immediately following the 4-day antlerless hunt above and continuing through the Sunday nearest January 6.</p>	<p>permit described under s. NR 10.104(11).</p> <p>One deer of either sex per unused deer carcass tag or permit described under s. NR 10.104(11).</p> <p>One antlerless deer per unused deer carcass tag or permit described under s. NR 10.104(11).</p> <p>One deer of either sex per unused deer carcass tag or permit described under s. NR 10.104(11).</p> <p>One antlerless deer per unused deer carcass tag or permit described under s. NR 10.104(11).</p> <p>One deer of either sex per unused deer carcass tag or permit described under s. NR 10.104(11).</p>
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<p>cv. Glacial Heritage Area state park. No person may hunt deer in the Glacial Heritage Area state park without first obtaining a permit which authorizes access to the park.</p>	<p>1. Early firearm season. A firearm deer hunt beginning on the Thursday nearest October 15 and continuing for 4 consecutive days. Legal hunting hours are those established in s. NR 10.06 (5) except that hunting hours shall close at 12:00 p.m. daily.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>5. <i>Archery season.</i> An archery hunt beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 4 consecutive days through the <u>Wednesday immediately prior to the opening of the late firearm season in this section.</u></p> <p>Beginning the second Thursday following the Thanksgiving holiday and continuing for 4 consecutive days.</p> <p>Beginning on the day</p>	<p>One antlerless deer per unused deer carcass tag or permit described under s. NR 10.104 (11).</p> <p>One deer of either sex per unused deer carcass tag or permit described under s. NR 10.104 (11).</p> <p>One deer of either sex per unused deer carcass tag or permit described under s. NR 10.104 (11).</p> <p>One antlerless deer per unused deer carcass tag or permit described under s. NR 10.104 (11).</p> <p>One deer of either sex per unused deer carcass tag or permit described under s. NR 10.104 (11).</p> <p>One antlerless deer per unused deer carcass tag or permit described under s. NR 10.104 (11).</p> <p>One deer of either sex per</p>
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	immediately following the 4-day antlerless hunt above and continuing through the Sunday nearest January 6.	unused deer carcass tag or permit described under s. NR 10.104 (11).
<p>Note: Glacial Heritage Area state park lands may be leased to another unit of government for management purposes and access permits to hunt deer on those lands would be obtained from that unit of government.</p>		
<p>d. Blue Mound, Governor Dodge and Tower Hill state parks.</p>	<p>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 gun deer season under s. NR 10.01(3)(e). Legal hunting hours are those established in s. NR 10.06(5) except that hunting hours shall close at 12:00 p.m. daily.</p> <p>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).</p> <p>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.</p> <p>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</p>	<p>One deer of either sex per unused deer carcass tag or permit described under s. NR 10.104(11).</p> <p>One deer of either sex per unused deer carcass tag or permit described under s. NR 10.104(11).</p> <p>One deer of either sex per unused deer carcass tag or permit described under s. NR 10.104(11).</p> <p>One antlerless deer per unused deer carcass tag or permit described under s. NR 10.104(11).</p>

	<p>are those authorized on the first day of the regular gun deer season in the surrounding county under s. NR 10.01(3)(e).</p> <p><u>5. Archery season.</u> An archery hunt beginning on the Thursday nearest October 15 and continuing for 4 consecutive days. Legal hunting hours are the same as those established in s. NR 10.06(5) except that <u>hunting hours will close at 12:00 p.m. daily, through the Wednesday immediately prior to the opening of the late firearm season in this section.</u></p> <p>Beginning on the day immediately following the 4-day antlerless hunt above and continuing through the Wednesday immediately prior to the opening of the late firearm season in this section.</p> <p>Beginning the second Thursday following the Thanksgiving holiday and continuing for 4 consecutive days.</p> <p>Beginning on the day immediately following the 4-day antlerless hunt above and continuing through the Sunday nearest January 6.</p>	<p>One antlerless deer per unused deer carcass tag or permit described under s. NR 10.104(11).</p> <p><u>One deer of either sex per unused deer carcass tag or permit described under s. NR 10.104(11).</u></p> <p>One deer of either sex per unused deer carcass tag or permit described under s. NR 10.104(11).</p> <p>One antlerless deer per unused deer carcass tag or permit described under s. NR 10.104(11).</p> <p>One deer of either sex per unused deer carcass tag or permit described under s. NR 10.104(11).</p>
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SECTION 5. NR 10.01(3)(ev) is amended to read:

<p>NR 10.01(3)(ev) <i>Special youth gun deer hunt event.</i></p>	
<p>Persons under 16 years of age may hunt deer with a firearm for 2 consecutive days beginning on the Saturday nearest October 8 in all deer management units, except state park units and deer management unit 48. Allowable types of firearms are those authorized on the first day of the regular gun deer season under par. (e) or (et). The bag limit is one buck deer per valid gun deer carcass tag and additional antlerless deer per valid antlerless deer carcass tags issued under par. (ed) or s. NR 10.104 (8). Hunters shall be accompanied by an adult 18 years of age or older and be in compliance with s. 29.592, Stats. One adult may not accompany more than 2 hunters and pursuant to s. 29.592, Stats., not more than one of the 2 hunters may be age 10 or 11, or be a person who does not possess a certificate of accomplishment under s. 29.591, Stats., or its</p>	

equivalent from another state, country or province. All other hunting regulations apply. Blaze orange requirements under s. 29.301 (2), Stats., apply to all hunters on these days except waterfowl hunters. Earn-a-buck requirements do not apply to youth hunters hunting in CWD zones identified in s. NR 10.28 (3) or non-CWD earn-a-buck units when using their regular gun buck deer carcass tag. Youth hunters may harvest and tag bucks or antlerless deer in CWD zones as authorized by CWD tags under s. NR 10.104 (11) or CWD landowner permit tags issued pursuant to s. NR 10.41 (3).

SECTION 6. NR 10.01(4)(a) is repealed and recreated to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
<i>(a) Muskrat trapping.</i>		
1. Statewide except in the Mississippi River Zone	Beginning on the third Saturday in October and continuing through the Sunday nearest March 7.	None
2. Mississippi River Zone- All that part of Buffalo, Crawford, Grant, LaCrosse, Trempealeau, and Vernon counties lying east of the Chippewa river and west of the Burlington Northern railway.	Beginning on the second Monday in November or the day following the close of the open season for ducks as established under sub. (1) (b) 1., whichever occurs first, and continuing through the Sunday nearest March 7.	None

SECTION 7. NR 10.01(4)(e) is repealed and recreated to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
<i>(e) Mink trapping.</i>		
1. Statewide except in the Mississippi River Zone	Beginning on the third Saturday in October and continuing through the Sunday nearest March 7.	None
2. Mississippi River Zone- All that part of Buffalo, Crawford, Grant, LaCrosse, Trempealeau, and Vernon counties lying east of the Chippewa river and west of the Burlington Northern railway.	Beginning on the second Monday in November or the day following the close of the open season for ducks as established under sub. (1) (b) 1., whichever occurs first, and continuing through the Sunday nearest March 7.	None

SECTION 8. NR 10.08(6) and (intro.) are created to read:

NR 10.08(6) Dressing. No person may completely dress any pheasant while in the field or during transportation from the field. The head, one fully feathered wing, or entire leg shall remain attached to

the dressed carcass while in the field or during transportation from the field to the person's permanent abode or a preservation facility.

SECTION 9. NR 10.09(1)(c)3. is repealed.

SECTION 10. NR 10.101(2)(b) and (c) Note. are amended to read:

NR 10.101(2)(b) *Training*. The training of dogs by pursuing wild bear is prohibited except July 1 through August 31, or as authorized by s. 29.184 (3m), Stats.

Note: Bear dog trials and training are regulated by ch. NR 17.

(c) *Pack size*. No more than 6 dogs in a single pack may be used to pursue bear regardless of the number of bear hunters assisting the bear harvest permittee and regardless of the dog ownership.

Note: Only a bear hunting licensee ~~with assisting a Class A bear harvest permittee license holder~~ may pursue bear during the open season on bear accept when engaged in lawful bear dog training as authorized under s. 29.184 (3m), Stats.

Section 11. NR 10.13(3)(c)4. is created to read:

NR 10.13(3)(c) 4. Sets placed for weasels consisting of body gripping traps placed entirely in enclosures, with no opening larger than 1 3/8 inch in diameter, and anchored to an immovable object shall be tended within a 4-day period following the last tending of the set. Any animal captured shall be removed from the set each time the trap is tended.

SECTION 12. NR 10.145(8)(a), as affected by WM-08-12, is amended to read:

NR 10.145(8)(a) *Harvest reports*. The department may require each successful bobcat, fisher, or otter permit or wolf harvest license applicant to submit a harvest report in a manner prescribed by the department within 24 hours of harvesting a bobcat or wolf. If the department requires a person who has been issued a bobcat harvest permit or wolf harvest license to report the harvest under this section, the person shall make the report in the manner required by the department within 24 hours of the time the person kills the bobcat or wolf.

SECTION 13. NR 10.15(2) and (intro) are amended to read:

NR 10.15(2) ~~SHOTGUN~~ DEER SEASON. A ~~shotgun~~ firearm season shall be established for hunting deer except for posted closed areas, pursuant to s. NR 10.01 (3).

SECTION 14. NR 10.24(5) is amended to read:

NR 10.24(5) Hunter identification. The department may require that armbands or other means of identification issued with permits ~~shall~~ be worn on the outermost garment at all times and ~~shall~~ be returned to a department check-out station immediately upon termination of hunting.

SECTION 13. NR 10.24(10) is created to read:

NR10.24(10) Dove Hunting in the Special Use Zone. (a) *Special Use Zone Hunting Post Requirement.* Hunting shall be restricted to locations assigned by the department in a 300 acre area in the southeast part of the Special Use Zone. In assigned locations, the hunter may assemble a blind using existing natural vegetation at the assigned site or use a portable blind. Individuals are required to hunt within 10 feet of the assigned location. All portable blinds shall be removed at the end of the day.

(b) *Blind limitation.* No more than 3 people may hunt from any location assigned by the department.

SECTION 14. NR 11.011 is repealed.

SECTION 15. NR 17.04(3)(c)(intro.) and (Note) are amended to read:

NR 17.04(3)(c) *Bear dog training.* Except where prohibited by s. NR 45.06, an individual may use dogs to pursue wild bear without a leash from July 1 to August 31 and at times when the season for hunting bears is open in places where it is legal to hunt bear with aid of dogs provided the individual possesses a class A or B bear license issued under s. 29.184, Stats., or is exempt under s. 29.184 (5), Stats., and:

1. Each dog is uniquely tattooed or wears a collar with the owner's name and address attached.
2. No more than 6 dogs in a single pack may be used to pursue bear regardless of the number of persons assisting the bear hunting licensee and regardless of the dog ownership.
3. Training during the open season for hunting bears only occurs during the hours when it is also legal to hunt bears with dogs as established in Ch. NR 10 Wis. Adm. Code.

Note: A hound dog training license issued under ch. 169, Stats., is not required to train on free roaming bear during the July 1 to August 31 bear dog training period or as authorized by s. 29.184 (3m), Stats. A class A or B bear hunting license is required to train during ~~this period~~ these periods. Bear may be hunted with the aid of dogs during the seasons described in s. NR 10.01 (3) (g).

SECTION 16. NR 17.08(2)(c)(intro.) is amended to read:

NR 17.08(2)(c) *Bear dog trialing.* A person may not use dogs to pursue wild bear for dog trialing purposes except as provided in sub. (3) (c).

Section 17. NR 17.08(3)(c)(intro.) and (Note) are amended to read:

NR 17.08(3)(c) *Bear dog trialing.* Except where prohibited by s. NR 45.06, an individual may use dogs to pursue wild bear without a leash from July 1 to August 31 and at times when the season for hunting bears is open in places where it is legal to hunt bear with aid of dogs provided the individual possesses a class A or B bear license issued under s. 29.184, Stats., or is exempt under s. 29.184 (5), Stats., and:

1. Each dog is uniquely tattooed or wears a collar with the owner's name and address attached.
2. No more than 6 dogs in a single pack may be used to pursue bear regardless of the number of persons assisting the bear hunting licensee and regardless of the dog ownership.
3. Trialing during the open season for hunting bears only occurs during the hours when it is also legal to hunt bears with dogs as established in Ch. NR 10 Wis. Adm. Code.

Note: A hound dog trial license issued under ch. 169, Stats., is not required to trial on free roaming bear during the July 1 to August 31 bear dog training period or as authorized by s. 29.184 (3m), Stats. A

class A or B bear hunting license is required to participate in a trial during ~~this period~~ these periods. Bear may be hunted with the aid of dogs during the seasons described in s. NR 10.01(3)(g).

SECTION 18. NR 45.04(1)(a)1. is amended to read:

NR 45.04(1)(a)1. Edible fruits, edible nuts, wild mushrooms, wild asparagus, and watercress may be removed by hand without a permit for the purpose of personal consumption by the collector. Willow stems not larger than 2.5 inches in diameter, from species not listed under Ch. NR 27 Wis. Admin. Code, may be collected for personal noncommercial use by the collector for purposes such as trap stakes, with the property manager's approval.

SECTION 19. NR 45.09(2) is amended to read:

NR 45.09(2) Except for blinds used exclusively for waterfowl hunting as provided in s. 29.327 (2), Stats., and s. NR 10.12 (12), and subd. (a) and except for blinds constructed entirely of dead vegetation found on the property, no person may do any of the following:

(a) Construct, occupy or use any elevated or ground blind or other elevated device except that portable tree hunting stands and blinds may be used provided they are placed not earlier than September 1 and are removed completely from the property each day at the close of hunting hours. no later than January 31 of the following year. Unoccupied tree stands shall have the owner's department customer identification number or the owner's name and address, written in the English language attached to the tree stand in a manner so it is clearly visible to a person standing on the ground, and kept legible at all times.

(b) Cause damage to trees by the placement or erection of portable tree stands or by any other manner while climbing or hunting from a tree. Careful pruning of limbs less than 1 inch in diameter on a tree in which a tree stand is used shall not be considered causing damage to the tree.

(c) Hunt from any ground blind during any open season or special hunt for hunting deer with firearms unless the outside of the blind displays a minimum of 144 square inches of material that is a solid highly visible color commonly referred to as blaze orange, florescent orange, or florescent blaze orange, and is visible 360 degrees around the blind. Blinds that are left unoccupied shall have the owner's customer identification number or name and address written in the English language attached to the outside of the blind in a conspicuous location near the entrance to the blind and be kept legible at all times.

(d) Prohibit any person from using a blind or stand that is not occupied and being used by the owner, except that the owner of the blind or stand retains the authority to remove and relocate their stand at any time. No person may prevent the owner of a blind or stand from removing their blind or stand. A blind or stand placed on department lands does not reserve that location for the exclusive use of the owner or other person placing the blind or stand.

(e) Relocate a blind or stand that was lawfully placed by another.

Note: Section NR 45.04(3)(g) prohibits any person from destroying, molesting, possessing without permission, removing or attempting to remove the property of another.

SECTION 20. NR 45.12(4)(f)2.a. is amended to read:

NR 45.12(4)(f)2.a. Pheasant hunting ~~\$3.00/person/day~~ \$12 per person each day. In the event pheasant stocking cannot be done on the previous day or days, the pheasant hunting fee will be ~~\$1.00/person/day~~ \$5.00 per person each day.

SECTION 21. EFFECTIVE DATE. This rule 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.

SECTION 22. 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 _____
Cathy Stepp, Secretary

(SEAL)