

SUBJECT: Request approval of the statement of scope for emergency Board Order WM-03-12 (E) related to establishing the 2012 bobcat hunting and trapping season framework.

FOR: MARCH, 2012 BOARD MEETING

TO BE PRESENTED BY / TITLE: Scott Loomans, Wildlife Regulations Policy Specialist

SUMMARY:

This rule would establish the 2012 bobcat hunting and trapping season framework.

The department proposes continuing the current bobcat season framework which was split into two separate time periods on a trial basis in 2010 and 2011. A final recommendation on adoption of this emergency rule will be guided by the results of voting at the Spring Fish & Wildlife Hearings/Meetings on April 9, 2012.

In 2010 and 2011, the bobcat season was split into two separate permit periods: the Saturday nearest Oct. 17 - Dec. 25 and Dec. 26 to Jan 31. There appears to have been public support for the new season framework. The opinion of department staff is that the new season framework provides the tools for sound use, management and protection of the bobcat resource. If emergency rules are not promulgated, the season automatically reverts back to a single permit period beginning on the Saturday nearest October 17 and continuing through December 31 in 2012.

Following the Spring Fish & Wildlife Hearings/Meetings, the department may also recommend proceeding with identical permanent rules.

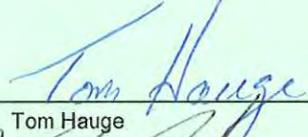
Some people will view a reversion to the single season framework as a reduction of opportunity that is not socially acceptable. Frequent change of season dates and regulations for hunting and trapping can be confusing and disruptive to the public, can result in citations being issued, and is not necessary for protection of the bobcat population in this situation.

RECOMMENDATION: Approval of the statement of scope for emergency Board Order WM-03-12 (E) related to establishing the 2012 bobcat hunting and trapping season framework.

LIST OF ATTACHED MATERIALS:

- | | | | | | |
|----|-------------------------------------|---|-----|-------------------------------------|----------|
| No | <input checked="" type="checkbox"/> | Fiscal Estimate Required | Yes | <input type="checkbox"/> | Attached |
| No | <input checked="" type="checkbox"/> | Environmental Assessment or Impact Statement Required | Yes | <input type="checkbox"/> | Attached |
| No | <input type="checkbox"/> | Background Memo | Yes | <input checked="" type="checkbox"/> | Attached |

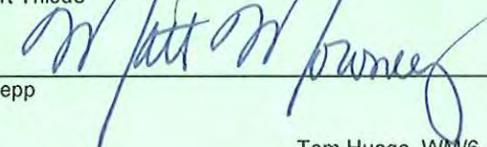
APPROVED:


Bureau Director, Tom Hauge

2/27/12
Date


Administrator, Kurt Thiede

2/27/12
Date


Secretary, Cathy Stepp

3/6/12
Date

cc: NRB Liaison
DNR Rules Coordinator

Tom Hauge, WM/6
John Olson, WM/6

Scott Loomans, WM/6

CORRESPONDENCE/MEMORANDUM

DATE: February 23, 2012

TO: David Clausen, Chair
Preston Cole, Vice Chair
Jane Wiley, Issue Coordinator

FROM: Cathy Stepp, Secretary

SUBJECT: Bobcat hunting and trapping season modifications by emergency rule

Subject and Objective of Proposed Rule:

The Bureau of Wildlife Management recommends promulgating emergency rules modifying chapter NR 10 related to the bobcat hunting and trapping season.

Description of Policy Issues:

Through this rulemaking, the department will propose continuing the current trial bobcat season framework that was split into two separate time periods in 2010 and 2011. The alternatives to be considered are reverting back to a single, straight season framework, or extending the trial period in order to allow additional evaluation.

In 2010 and 2011, the bobcat season was split into two separate permit periods: the Saturday nearest Oct. 17 - Dec. 25 and Dec. 26 to Jan 31. There appears to have been public support for the new season framework and the opinion of department staff is that it provides the tools for sound use, management and protection of the bobcat resource. If emergency rules are not promulgated, the season automatically reverts back to a single permit period beginning on the Saturday nearest October 17 and continuing through December 31 in 2012. Some people will view a reversion to the single season framework as a reduction of opportunity that is not socially acceptable. Frequent change of season dates and regulations for hunting and trapping can be confusing and disruptive to the public, can result in citations being issued, and is not necessary for protection of the bobcat population in this situation. Therefore, this emergency rule is needed to preserve the public welfare.

During this rule making process the impacts of the split season framework and public opinion will be evaluated, including through consideration of voting on an advisory question at the April, 2012 spring hearings in each county. If there is support, this rule proposal will be followed by permanent rules.

Statutory Authority:

ss. 29.011, 29.014, 29.192(4) and 227.24 Wis. Stats.

Estimate of Time Needed to Develop the Proposed Revisions:

144 hours.

Groups Likely Affected by the Proposed Rule:

Groups likely to be impacted are bobcat hunters and trappers, including groups such as the Wisconsin Trappers Association, Bear Hunters Association, Wildlife Federation, and the Conservation Congress.

Preliminary 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.

Agency Contact People:

Scott Loomans, 101 S Webster St., Madison, WI 53707, (608)267-2452, scott.loomans@wisconsin.gov
John Olson, 2501 Golf Course Road, Ashland, WI 54806, (715) 685-2934, johnf.olson@wisconsin.gov



STATEMENT OF SCOPE

Department of Natural Resources

Rule No.: WM-03-12(E) REVISED

Relating to: Modifying chapter NR 10 related to the bobcat hunting and trapping season.

1. Description of the objective of the rule:

This rule would establish the 2012 bobcat hunting and trapping season framework.

2. Description of existing policies relevant to the rule and of new policies proposed to be included in the rule and an analysis of policy alternatives; the history, background and justification for the proposed rule:

Through this rulemaking, the department will propose continuing the current trial bobcat season framework that was split into two separate time periods in 2010 and 2011. The alternatives to be considered are reverting back to a single, straight season framework, or extending the trial period in order to allow additional evaluation.

In 2010 and 2011, the bobcat season was split into two separate permit periods: the Saturday nearest Oct. 17 - Dec. 25 and Dec. 26 to Jan 31. There appears to have been public support for the new season framework and the opinion of department staff is that it provides the tools for sound use, management and protection of the bobcat resource. If emergency rules are not promulgated, the season automatically reverts back to a single permit period beginning on the Saturday nearest October 17 and continuing through December 31 in 2012. Some people will view a reversion to the single season framework as a reduction of opportunity that is not socially acceptable. Frequent change of season dates and regulations for hunting and trapping can be confusing and disruptive to the public, can result in citations being issued, and is not necessary for protection of the bobcat population in this situation. Therefore, this emergency rule is needed to preserve the public welfare.

During this rule making process the impacts of the split season framework and public opinion will be evaluated, including through consideration of voting on an advisory question at the April, 2012 spring hearings in each county. If there is support, this rule proposal will be followed by permanent rules.

3. Statutory authority for the rule (including the statutory citation and language):

ss. 29.011, 29.014, 29.192(4), 227.24 Wis. Stats.

4. Estimate of the amount of time that state employees will spend to develop the rule and of other resources necessary to develop the rule:

144 hours.

5. Description of all entities that may be impacted by the rule:

Groups likely to be impacted or interested in this rulemaking are bobcat hunters and trappers, including members of groups such as the Wisconsin Trappers Association, Bear Hunters Association, Wildlife Federation, and the Conservation Congress.

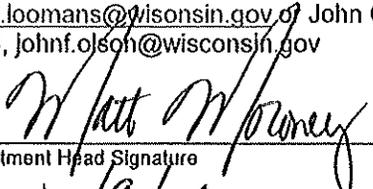
6. Summary and preliminary comparison of any existing or proposed federal regulation that is intended to address the activities to be regulated by the rule:

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.

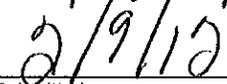
7. Anticipated economic impact of the rule.

No economic impacts are anticipated. The hunting season framework proposed in this rule is identical to the season framework that was in place during the previous season.

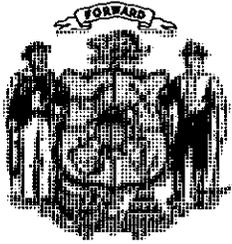
Contact Person: Scott Loomans, 101 S Webster St., Madison, WI 53707, (608)267-2452, scott.loomans@wisconsin.gov or John Olson, 2501 Golf Course Road, Ashland, WI 54806, (715) 685-2934, johnf.olson@wisconsin.gov



Department Head Signature



Date Submitted



SCOTT WALKER
OFFICE OF THE GOVERNOR
STATE OF WISCONSIN

P.O. Box 7863
MADISON, WI 53707

February 15, 2012

Cathy Stepp
Secretary
Wisconsin Department of Natural Resources
101 South Webster St.
P.O. Box 7921
Madison, WI 53707-7921

RE: Statement of Scope for Emergency Rule WM-03-12

Dear Secretary Stepp,

I hereby approve the revised statement of scope submitted on February 9, 2012, pursuant to Wisconsin Statutes § 227.135. You may send the scope statement to LRB for publication pursuant to Wisconsin Statutes § 227.24(1)(e)1d.

Sincerely,

A handwritten signature in black ink, appearing to be "S. Walker", written over a horizontal line.

Scott Walker
Governor