

**SUBJECT:** Information Item: Spring Hearing/Meetings, Wildlife Management Bureau advisory question results.

**FOR:** MAY, 2012 BOARD MEETING

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

**SUMMARY:**

The following department and Natural Resources Board advisory questions were the subject of voting at the 2012 spring fish & wildlife meetings held jointly with the Conservation Congress on the second Monday in April:

- Eliminating the sunset of a split season framework for bobcat hunting and trapping (66% support).
- Expanding open water hunting opportunities for waterfowl. (local question for each of 13 waterbodies in various counties, statewide and local votes were supportive except for Lake Koshkonong).
- Modernizing license requirements for hunting guides (67% support).
- Allowing the use of trail cameras on DNR managed lands open to public hunting. (Natural Resources Bd. question, supported by 57% of voters).

The proposals related to open water hunting and the bobcat season are or will be the subject of future proposed rulemaking. Modifying the requirements for guide licenses would require new legislation. Voting on the use of trail cameras will advise the department when it considers enacting policy changes, under authority it currently has, to authorize their use.

The department anticipates holding hearings on a spring hearing rules package again in 2013 and subsequent odd-numbered years. This timeline for rule promulgation is compatible with new requirements of ch. 227 Stats.

**RECOMMENDATION:** This item is informational only and no action is needed.

**LIST OF ATTACHED MATERIALS:**

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|----|-------------------------------------|---|-----|-------------------------------------|----------|
| 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:**

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Bureau Director, Tom Hauge, Wildlife Management

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Date 4/23/12

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Administrator, Kurt Thiede, Land Division

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Date 5/2/12

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Secretary, Cathy Stepp

\_\_\_\_\_  
Date 5/7/12

cc: NRB Liaison  
DNR Rules Coordinator

Tom Hauge, WM/6

Scott Loomans, WM/6

## CORRESPONDENCE/MEMORANDUM

DATE: April 19, 2012  
TO: Natural Resources Board  
FROM: Secretary Cathy Stepp  
SUBJECT: Spring Hearing/Meeting, Wildlife Management Advisory Question Results

This memo will summarize the results of voting and anticipated future action on three wildlife-related and one Natural Resources Board advisory questions.

**Background:**

In 2012, all questions asked at the hearings were advisory-only. However, the results of voting were timely and important in advising the department in rule and policy making decisions this spring.

The department anticipates holding hearings on a spring hearing rules package again in 2013 and subsequent odd-numbered years. This timeline for rule promulgation is compatible with new requirements of ch. 227 Stats. as modified by 2011 ACT 21.

Annually the department submits proposals and advisory questions on a variety of subjects including hunting, trapping, wildlife management and the management of department lands. The statewide April Spring Fish & Wildlife hearings/meetings are the traditional vehicle for citizen input. The origins of these questions and proposals are most often: 1) department staff specialists from the bureaus of law enforcement, wildlife management, endangered resources and customer service and licensing, 2) publicly supported Conservation Congress advisory questions from prior years that were forwarded by the congress' executive council or; 3) advisory questions suggested by the natural resources board.

**Summary of Voting and Anticipated Future Action:**

Spring Fish & Wildlife Meetings/Hearings on April 9 were attended by 4,611 people. Actual agenda items that were the subject of voting are attached as Appendix 1. Voting results and the department's anticipated future action on each proposal are summarized below. Please note that this memo has been prepared prior to the statewide meeting and convention of the Wisconsin Conservation Congress. Recommendations made by the congress at that meeting will be considered by department staff and could further inform decisions about future action on these proposals.

Question 1. Eliminate the sunset of the current split season framework for bobcat hunting and trapping. The statewide voting result was Ayes, 2,251; Noes, 1,126. The proposal was supported in 66 counties, rejected in 4, and voting results were tied in 2.

At its April meeting the board adopted emergency rules to restore the split season framework in 2012. The board also authorized holding hearings on an identical permanent rule.

Question 2. Modernizing license requirements for hunting guides.

The statewide voting result was Ayes, 2,402; Noes, 1,210. The proposal was supported in 64 counties, rejected in 6, and voting results were tied in 2.

The guide license is currently established by statute and related rule making powers have not been given to the department. These voting results will inform public discussion on related issues and are available for consideration by lawmakers.

Questions 3 to 15. Expanding open water hunting opportunities for waterfowl (local question, various counties).

Expanding open water duck hunting to 13 additional lakes was proposed based on the recommendations of an ad hoc committee of duck hunters and staff. All 13 lakes passed in a statewide vote with approximately 70% support for each. However, we committed to looking at the local votes as summarized in Table 1, because these regulations would be primarily of local interest.

Table 1.

	Ayes/Noes	Support
3. Beaver Dam Lake in Dodge County (excluding Rakes and Trestle Works Bays).	58 – 17	77%
4. Lake Butte des Morts in Winnebago County.	45 – 32	58%
5. Lakes Poygan and Winneconne in Waushara and Winnebago counties.	13 – 3 42 – 32	61%
6. Castle Rock Lake in Adams and Juneau counties (south of railroad bridge and county road G).	20 – 5 21 – 3	84%
7. Grindstone Lake in Sawyer County.	33 – 22	60%
8. Fence Lake in Vilas County.	34 – 18	65%
9. North Twin Lake in Vilas County.	32 – 20	62%
10. Trout Lake in Vilas County.	32 – 20	62%
11. Lake Koshkonong in Dane, Rock and Jefferson counties.	71 – 146 43 – 24 34 – 47	41%
12. 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).	12 – 12 35 – 11	67%
13. Shawano Lake in Shawano County.	31 – 27	53%
14. Lake Wisconsin in Sauk and Columbia counties (north of railroad bridge near Merrimac).	31 – 12 31 – 9	75%
15. Lake Wissota in Chippewa County (south of county road S and north of county road X).	37 – 17	69%

Based on the results of voting, the department plans to propose, in a scope statement for approval in summer 2012, rule changes to allow open water hunting on 12 additional lakes. If approved, these could be a subject of voting again, as rule proposals, at the 2013 Spring Fish & Wildlife Meetings/Hearings. The department will not propose rule changes for Lake Koshkonong.

Question 16. Use of trail cameras on DNR managed public hunting lands (Natural Resources Board advisory question).

The statewide result of voting was Ayes, 2,190; Noes, 1,605 in favor of allowing the overnight use and placement of trail cameras on department managed lands. The proposal was supported in 56 counties, rejected in 14, and voting results were tied in 2.

Voting on the use of trail cameras will advise the board when you consider enacting policy changes, which can be made under existing board authority, to authorize their use.

Appendix 1.

**DEPARTMENT OF NATURAL RESOURCES  
STATEWIDE WILDLIFE ADVISORY QUESTIONS**

**QUESTION 1. Eliminate the sunset of the current split season framework for bobcat hunting and trapping.**

In 2009 and earlier, the hunting and trapping season for bobcat began on the Saturday nearest October 17 and continued through December 31. Beginning in 2010, for a two year trial period, the season has been lengthened and split into an early time period which runs from the Saturday nearest October 17 to December 25 and a late time period which runs from December 26 to January 31. Hunting and trapping are legal during both periods. Permit applicants must select either the early or the late season.

The later time period, when snow cover is likely, provides hunting conditions that hunters using trained dogs have said they prefer. The early time period maintains dry-land trapping opportunities that some trappers prefer as well as providing some hunting opportunities with snow cover in December.

Following the two year trial, the department's opinion is that the new split season framework provides harvest management tools that allow for sound use, management and protection of the bobcat resource. The previous single season format also provided the necessary harvest management tools. We are interested in assessing which season structure is preferred by hunters and trappers before recommending a permanent season framework.

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1. Do you favor permanently establishing two bobcat permit periods (third Sat. in Oct--Dec. 25 and Dec. 26--Jan. 31) and limiting hunters and trappers to one period or the other? I. YES\_ NO\_\_\_\_\_
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**QUESTION 2. Modernizing license requirements for hunting guides.**

Under current Wisconsin law, a \$40 annual guide license is required of individuals who are employed or receive compensation or reward for assisting another person with hunting, fishing or trapping. There are currently no requirements or qualifications to become a licensed hunting, fishing or trapping guide in this state except that a person must be 18 and, if guiding for the purposes of hunting or trapping, must be a Wisconsin resident. In 2010 there were over 1,400 guides licensed in WI for hunting, fishing or trapping. The license application does not collect information in regards to the species that will be guided for or locations that guiding activity will occur. There are no record keeping and reporting requirements even though other commercial activities such as commercial fishing and sport trolling do require record keeping and reporting.

Guiding for hunting and fishing is an established commercial activity in Wisconsin. Modernizing guide license requirements would help ensure that natural resources are protected by providing information that assures good decision making and preserving equal opportunities to participate in outdoor recreational activities. Updating license requirements may also increase the standing of the guiding industry in the public's eye and create a fair playing field for those involved.

Guiding regulations could be modernized by establishing a new definition of a guide. A more precise definition of a guide could include a person who subleases private lands and conducts activities associated with subleases. Many times the activities associated with subleasing appear to constitute guiding (setting up stands, providing maps and lodging), but the vague definition in current law precludes requiring a guide's license for performing many related activities for compensation.

Reporting requirements for guiding activities could provide information that is valuable to fish and wildlife biologists, law enforcement, and to the public when deciding how to manage fish and game. Information such as the number of privately owned acres leased, publicly owned areas used by guides, number of animals harvested, and client information would be valuable.

Some within the guide community have suggested that a guide license with more comprehensive minimum standards would be good for guides as a whole to help legitimize their industry to the general public. Minimum standards would also ensure protection of the public from guides that lack adequate knowledge, training and insurance.

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2. Do you favor updating Wisconsin's guide license requirements by establishing a new definition of a guide, require reporting of harvest, acres owned/leased for guiding and client information, and by establishing minimum standards for insurance and training? 2. YES \_\_\_\_\_ NO \_\_\_\_\_
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**DEPARTMENT OF NATURAL RESOURCES LOCAL WILDLIFE ADVISORY QUESTIONS**

**QUESTIONS 3- 15. Expanding open water hunting opportunities for waterfowl.**

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.
- 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 13 lakes, which are included in Questions 3-15 below (Poygan and Winneconne are considered one lake), be considered for open water duck hunting.

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?

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|--|--------|-------|----|-------|
| 3. Beaver Dam Lake in Dodge County (excluding Rakes and Trestle Works Bays). | 3. YES | _____ | NO | _____ |
| 4. Lake Butte des Morts in Winnebago County.                                 | 4. YES | _____ | NO | _____ |
| 5. Lakes Poygan and Winneconne in Waushara and Winnebago counties.           | 5. YES | _____ | NO | _____ |
| 6. Castle Rock Lake in Adams and Juneau counties (south of railroad bridge   | 6. YES | _____ | NO | _____ |
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and county road G).		
7. Grindstone Lake in Sawyer County.	7. YES	NO
8. Fence Lake in Vilas County.	8. YES	NO
9. North Twin Lake in Vilas County.	9. YES	NO
10. Trout Lake in Vilas County.	10. YES	NO
11. Lake Koshkonong in Dane, Rock and Jefferson counties.	11. YES	NO
12. 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).	12. YES	NO
13. Shawano Lake in Shawano County.	13. YES	NO
14. Lake Wisconsin in Sauk and Columbia counties (north of railroad bridge near Merrimac).	14. YES	NO
15. Lake Wissota in Chippewa County (south of county road S and north of county road X).	15. YES	NO

**NATURAL RESOURCES BOARD ADVISORY QUESTIONS**

**QUESTION 39. Use of trail cameras on DNR managed public hunting lands.**

A prohibition on the storage of personal property on department managed lands is established by the department by administrative rule. Based on this provision, the department has explained that it is illegal to leave an unattended trail camera overnight on DNR lands unless first authorized by the department.

Trail cameras are popular and very commonly used by hunters on private land for scouting wildlife. Department staff and board members have received requests from individuals who would like to use trail cameras on department lands. Placing cameras and checking them for images of wildlife may be a form of outdoor recreation that will engage people to utilize public lands. Their use may help hunters be more aware and more excited about the opportunities available on department managed lands. Additionally, their use may result in people providing information that is valuable to the department about species observed on those lands.

A concern about trail camera use is that their presence will give the impression that an area is already “claimed” or “staked out” and could lead to conflict in the field. Trail camera theft, abandonment, personal privacy, and damage to cameras through land management practices such as prescribed burning or timber harvest are other concerns.

Some concerns about the use of trail cameras on DNR managed lands could be addressed by establishing the following conditions on their use:

- Placement only occurs in areas where hunting is allowed and outside of designated special use zones such as campgrounds and improved trails.
- Trail cameras bear the name and address or department issued customer identification number of the owner or operator permanently attached or engraved to the outside of the camera so that it is clearly visible without the need to move or adjust the camera.
- The placement of trail cameras on department managed lands is done at your own risk. The department will not be responsible for theft or damage to trail cameras on department managed lands

39. Do you favor allowing the overnight placement and use of trail cameras on lands open to public hunting that are managed by the department, but not in special use zones such as campgrounds and improved trails?	39. YES	NO
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