

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

SUBJECT:

Request that the Board adopt Board Order WM-33-13, proposed rules affecting ch. NR 10 related to muskrat and mink trapping seasons.

FOR: October 2013 Board meeting

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

SUMMARY:

These rules were initially proposed as part of the 2013 wildlife management spring hearing rule proposal. The proposal was broadly supported but tabled when the rest of the rule was adopted so that there could be further consideration of the proposed opening date related to the time when muskrat pelts are most likely to be of "prime" fur quality in the greatest area of the state.

Under this proposal, the opening day would be the Saturday nearest October 25 except in the Mississippi River zone.

This proposal was developed through work with the Fur Harvest Committee of the Wisconsin Conservation Congress at it's August 2013 meeting.

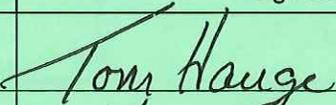
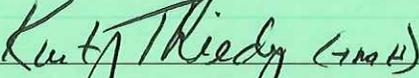
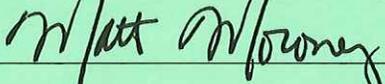
Under the department's initial proposal, the opening day would have been earlier, the third Saturday in October. Some people were concerned that the earlier opener would occur at a time before muskrat pelts would be prime.

In the Mississippi river zone the season would continue to open on the second Monday in November or the day after the duck season closes, whichever occurs first, which represents compromise between waterfowl hunters and trappers to accommodate those diverse resources interests.

RECOMMENDATION: That the Board adopt Board Order WM-33-13.

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

- | | |
|---|---|
| <input checked="" type="checkbox"/> background memo | <input 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		10/10/13
Kurt Thiede, Administrator		10/11/13
Cathy Stepp, Secretary		10/14/13

cc: Board Liaison - AD/8

Program attorney - LS/8

Department rule coordinator - LS/8

DATE: October 8, 2013

TO: All Members of the Natural Resources Board

FROM: Cathy Stepp, Secretary

SUBJECT: Background memo on Board Order WM-33-13 relating to muskrat and mink trapping seasons

The department is requesting adoption of Board Order WM-33-13 which would establish that the opening day of muskrat and mink trapping seasons is the Saturday nearest October 25 except in the Mississippi River zone.

In the Mississippi river zone the season would continue to open on the second Monday in November or the day after the duck season closes, whichever occurs first, which represents a long standing compromise between waterfowl hunters and trappers to accommodate those diverse resources interests.

Background:

These rules were initially proposed as part of the 2013 wildlife management spring hearing rule proposal. The proposal was broadly supported but tabled when the rest of the rule was adopted so that there could be further consideration of the proposed opening date related to the time when muskrat pelts are most likely to be of "prime" fur quality in the greatest area of the state.

The proposal for which we are requesting adoption was developed through work with the Fur Harvest Committee of the Wisconsin Conservation Congress at its August 2013 meeting.

Under the department's initial proposal, the opening day would have been earlier, the third Saturday in October. Some people were concerned that the earlier opener would occur at a time before muskrat pelts would be of fully prime quality.

Public Input:

The original proposal, which would have opened the trappings seasons one week earlier, had broad public support at Spring Fish & Wildlife hearings in April 2013. The results of voting on the proposal were Ayes, 2,947; Noes, 1,283. The proposal won popular support in 62 counties, lost in nine, and voting was tied in one. The original spring hearing question is attached as Appendix 1.

Prior to adoption of the rule in May, board members and the department received a handful of letters in opposition to this provision of the spring hearing rule. Additionally, there was a limited amount of discussion at the statewide convention of the Conservation Congress. All of this discussion was focused on the level of fur primeness in areas of the state where the opening date would be earlier than under current rules.

At its August 3, 2013 meeting the Fur Harvest Committee of the Wisconsin Conservation Congress spent considerable time discussing a compromise. The "Saturday nearest October 25" compromise on an opening date for muskrat and mink trapping originates from that meeting.

Reasons for the rule proposal:

These rules will simplify trapping regulations.

The opening weekend of the muskrat season can be important to fur trappers. A significant amount of the muskrat harvest by trappers occurs on the opening weekend of the season and, thereafter, muskrat numbers and trapping success may be lower. Fur quality improves during the fall season as winter approaches, so the timing of the season opener can also be important.

Under current rules, trapping season dates are staggered to open progressively later in the southern part of the state and take advantage of pelt primeness and favorable conditions for trapping before winter arrives. However, muskrat trappers relay that the staggered opening dates allow some people to take advantage of multiple opening dates and contribute to significant competition for prime trapping locations and muskrats.

A proposal in board order WM-01-13, the 2013 wildlife management spring hearing rule, would have consolidated opening dates so that most of the state would have opened on the third Saturday in October. This proposal would have spread trapping pressure around the state on one opening day and relieved the competition that results from people moving around to different zones to take advantage of multiple opening days. While the proposal had strong support in voting held in each county, a number of concerns were relayed to the department that muskrat fur quality would not be prime in certain areas on the third Saturday in October.

These rule revision would open the muskrat and mink trapping seasons on the Saturday nearest October 25, which would be the fourth Saturday in October during most years. This opening date is designed to address both concerns about distributing trapping pressure and not beginning the trapping season until muskrat pelts are likely to be prime in most of the state.

The mink trapping seasons are consistent with the muskrat trapping season dates both under current rules and this proposal. Mink are a species that is commonly caught by muskrat trappers and keeping the seasons consistent allows trapping for both species at the same time. Public interest in the opening date for trapping is focused more on muskrat, however, because of the greater opening weekend harvest and competition for trapping locations.

Affects to existing policy:

These rules are consistent with past board policies of regulating fish and game harvest for conservation purposes.

Previous board action:

The statement of scope for this rule proposal was approved by the Natural Resources Board on September 26, 2012. Hearings were authorized on January 23, 2013 and this provision of the Wildlife Management Spring Hearings Rule Package was set aside when the rest of the rule was adopted at the board's May 22, 2013 meeting.

Groups impacted by the proposed rules:

These rules will impact muskrat trappers and mink trappers.

Economic impact analysis:

The agency has made modifications to the proposed rule following the agency public hearings. The department has reviewed the rule and determined that the scope has not changed in any meaningful or significant way under Wis. Stat. 227.137 (4) and paragraph IV.9 of Executive Order 50 relating to the promulgation of administrative rules. Therefore, the department has not required to revise the economic impact analysis it originally prepared for this rule.

A copy of the original economic and fiscal impact analysis, prepared for WM-01-33, is attached as part of this agenda item.

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.

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.

Small Business 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.

Appendix 1.

QUESTION 37. Simplify mink and muskrat trapping regulations by creating more consistent opening and closing 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 opening date 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.
3. 'Winnebago zone' — Beginning on the Saturday nearest October 28 and continuing through March 15.
4. 'Mississippi River zone' — 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 last day of February.



Do you favor opening the muskrat and mink season statewide beginning on the third Saturday in October and continuing through the Sunday nearest March 7, except that the opening day would not change in the Mississippi River Zone? 37. 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 and WM-33-13 related to the mink and muskrat trapping seasons.

Note: Provisions related to mink and muskrat trapping seasons were originally contained in WM-01-33 but separated at the Natural Resources Board's May 2013 meeting. Mink and muskrat trapping season dates have been modified following hearings on the rule. The department has determined that the scope has not changed in any meaningful or significant way under Wis. Stat. 227.137 (4) and paragraph IV.9 of Executive Order 50 relating to the promulgation of administrative rules. Therefore, the department is not required to revise the economic impact analysis it originally prepared for this rule.

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

GPR FED PRO PRS SEG SEG-S

Chapter 20 , Stats. Appropriations Affected

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
 Local Government Units

Specific Businesses/Sectors
 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 Mecan 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. 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.

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 AND RECREATING 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 and recreate 10.01 (4) (a) and 10.01 (4) (e) related to muskrat and mink trapping seasons.

WM-33-13

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 the mink and muskrat trapping seasons.

Statutes Interpreted and Explanation: Section 29.014, Stats. allow for the protection of natural resources, establish general department powers, and authority to establish hunting and trapping regulations.

Related Statute or Rule: These rules were originally part of Board Order WM-01-13, the 2013 wildlife management spring hearing rules package related to hunting, trapping, closed areas, dog training, and the use of department lands. Upon adoption of that rule at the board’s May 22, 2013 meeting, sections that modified the mink and muskrat trapping season dates were removed from the board order so that additional consideration of the muskrat and mink season opening dates could occur.

Plain Language Rule Analysis: This rule package will establish new season dates for trapping mink and muskrat in Ch’s. NR 10, Wis. Adm. Code.

SECTIONS 1 and 2 simplify the mink and muskrat trapping regulations by creating more consistent opening dates throughout the state. The season dates are the same for both species.

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.

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. Under current rules:

- 'North zone' — Beginning on the Saturday nearest October 17 and continuing through the last day of February.
- 'South zone' — Beginning on the Saturday nearest October 28 and continuing through the last day of February.
- 'Winnebago zone' — Beginning on the Saturday nearest October 28 and continuing through March 15.
- 'Mississippi River zone' — 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 last day of February.

Under this proposal, the opening day would be the Saturday nearest October 25 except in the Mississippi River zone. In the Mississippi river zone the season would continue to open on the second Monday in November or the day after the duck season closes, whichever occurs first, which represents compromise between waterfowl hunters and trappers to accommodate those diverse resources interests.

The opening weekend of the muskrat season can be important to fur trappers. A significant amount of the muskrat harvest by trappers occurs on the opening weekend of the season and, thereafter, muskrat numbers and trapping success may be lower. Fur quality improves during the fall season as winter approaches, so the timing of the season opener can also be important.

Under current rules, trapping season dates are staggered to open progressively later in the southern part of the state and take advantage of pelt primeness and favorable conditions for trapping before winter arrives. However, muskrat trappers relay that the staggered opening dates allow some people to take advantage of multiple opening dates and contribute to significant competition for prime trapping locations and muskrats.

A proposal in board order WM-01-13, the 2013 wildlife management spring hearing rule, would have consolidated opening dates so that most of the state would have opened on the third Saturday in October. This proposal would have spread trapping pressure around the state on one opening day and relieved the competition that results from people moving around to different zones to take advantage of multiple opening days. While the proposal had strong support in voting held in each county, a number of concerns were relayed to the department that muskrat fur quality would not be prime in certain areas on the third Saturday in October.

These rule revision would open the muskrat and mink trapping seasons on the Saturday nearest October 25, which would be the fourth Saturday in October during most years. This opening date is designed to address both concerns about distributing trapping pressure and not beginning the trapping season until muskrat pelts are likely to be prime in most of the state.

The mink trapping seasons are consistent with the muskrat trapping season dates both under current rules and this proposal. Mink are a species that is commonly caught by muskrat trappers and keeping the seasons consistent allows trapping for both species at the same time. Public interest in the opening date

for trapping is focused more on muskrat, however, because of the greater opening weekend harvest and competition for trapping locations.

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 rule proposal is not expected to significantly influence the spending activities or trapping activity of people who are interested in mink and muskrats. 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 10.01 (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 Saturday nearest October 25 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 2. 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 Saturday nearest October 25 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 3. 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 4. 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)