

REPORT TO LEGISLATURE

Ch. NR 10 Wis. Adm. Code
A provision of the 2013 wildlife management spring hearing
rule related to mink and muskrat trapping seasons
Board Order No. WM-01-13-B
Clearinghouse Rule No. 13-021

Basis and Purpose of the Proposed Rule

This rule proposal was initially an individual provision of the department's spring hearing rule related to hunting, trapping and game management, Clearinghouse Rule No. 13.021. Following the hearing process in April, 2013, language related to the mink and muskrat trappings seasons was temporarily set aside for additional consideration based on comments received. The provision related to mink and muskrat trapping is now being submitted for legislative review.

Following the department's hearings and based on comments received, the department has made a germane modification which would open the mink and muskrat trapping seasons on the Saturday nearest October 25. As initially proposed, the season would have opened a few days earlier, the third Saturday in October, in most areas. This compromise was developed at the August 3, 2013 meeting of the Fur Harvest Committee of the Wisconsin Conservation Congress where considerable time was spent discussing the issue with interested parties and the department's furbearer biologist.

These rules would simplify the mink and muskrat trapping regulations by creating more consistent opening dates throughout the state. 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. Statewide, the season will end on the Sunday nearest March 7.

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.

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.

Summary of Public Comments

On Monday April 8, a hearing was conducted in each county of the state. Statewide attendance was 6,069. Hearing attendees had the opportunity to register support or opposition by voting on individual proposals in this package of rules. The results of voting on the mink and muskrat trapping season were Ayes, 2,947; Noes, 1,283 and the original rule proposal was supported in

62 counties, lost in 9, and voting results were tied in one. This proposal would have opened the mink and muskrat seasons on the third Saturday in October.

Written Comments

Prior to its May meeting to consider adoption of the rule proposal, the department received two comments opposed to the earlier, third Saturday in October, season opening date in the initial rule proposal. Both were concerned that the season would open prior to the time when muskrat pelts would be of prime fur quality in the southern part of the state.

Prior to its October meeting to consider adoption of the later opening dates, Saturday nearest October 25 in the current rule proposal, the department received one written comment of support from the Wisconsin Conservation Congress. The department also received seven comments in opposition, primarily from trappers in the northern part of the state who are concerned that the season will now open too late, reducing open water trapping opportunities.

Modification Following Hearings

The original rule proposal would have consolidated opening dates so that most of the state would have opened on the third Saturday in October. 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.

As modified, these rule revisions 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.

Appearances at the Public Hearing

Statewide attendance was 6,069.

Changes to Rule Analysis and Fiscal Estimate

The rule analysis was modified to focus exclusively on the topic of mink and muskrat trapping season dates. No fiscal or economic impacts are expected as a result of changes to the initial rule proposal. The fiscal and economic impact analysis was not revised.

Response to Legislative Council Rules Clearinghouse Report

The recommendations have been incorporated into the rule.

Final Regulatory Flexibility Analysis

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.