

Clearinghouse Rule 13-021

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 Mekan 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/trialing. 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).

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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.
<p>1. a. All that part of the state not otherwise listed in subd. 1. b., subds. 2. to 6., or in CWD zones described in s. NR 10.28 (3).</p> <p>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.</p> <p>c. All that part of the state not otherwise listed in subds. 2. to 5., or in CWD zones described in s. NR 10.28 (3).</p>	<p>Firearm season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 9 consecutive days.</p> <p>Shotgun season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 9 consecutive days.</p> <p>4-day deer gun season beginning the second Thursday following the Thanksgiving holiday. Allowable types of</p>	<p>One buck deer and additional antlerless deer as authorized by antlerless deer permits issued under s. NR 10.104.</p> <p>One buck deer and additional antlerless deer as authorized by antlerless deer permits issued under s. NR 10.104.</p> <p>One antlerless deer per antlerless deer permit issued under s. NR 10.104.</p>

<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>guns are those authorized on the first day of the deer gun season identified in subd. 1. a. or b.</p> <p>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)</p>	<p>Muzzleloading firearm season beginning on the Saturday immediately preceding the</p>	<p>One buck deer and additional antlerless deer as authorized by antlerless deer permits</p>

state parks.	Thanksgiving holiday and continuing for 19 consecutive days.	issued under s. NR 10.104.
e. Council Grounds state park (unit 52A)	Shotgun <u>Firearm</u> 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.	One buck deer and additional antlerless deer as authorized by antlerless deer permits issued under s. NR 10.104.
f. Brunet Island (unit 23A) and Lake Wissota (unit 59E) state parks.	Shotgun <u>Firearm</u> season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 9 consecutive days.	One antlerless deer or one deer of either sex as authorized by deer permits issued under s. NR 10.104.
g. Loew Lake Unit – Kettle Moraine state forest (unit 77D).	Muzzleloading 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.
h. Wildcat Mountain (unit 72A) state park.	Muzzleloading firearm season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 19 consecutive days.	One antlerless deer or one deer of either sex as authorized by deer permits issued under s. NR 10.104.
i. Buckhorn state park in the area east of 19th avenue, north of county HWY G, and north of 31st street.	During firearm and muzzleloader seasons established in s. NR 10.01 (3) (e) 1. a., c. and e., (es) 1., and (ev).	The same as established for the surrounding deer management unit.
3. Federal properties		
a. Badger army ammunition plant in Sauk county, Fort McCoy military reservation in Monroe county and Volk Field military facility in Juneau county.	Firearm season type as established by military permit and approved by the department by August 1 annually.	Sex and type of deer is as specified on permit issued by military facility.

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.		
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. 4–day Shotgun <u>firearm</u> season beginning the second Thursday following the Thanksgiving holiday.	One buck deer and additional antlerless deer as authorized by antlerless deer permits issued under s. NR 10.104. 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. 4–day firearm season beginning the second Thursday following the Thanksgiving holiday.	One buck deer and additional antlerless deer as authorized by antlerless deer permits issued under s. NR 10.104 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	1. <i>Archery season.</i> An archery deer hunt beginning on the Saturday nearest September 15 and continuing through the Wednesday immediately prior	One deer of either sex per unused deer carcass tag or permit described under s. NR 10.104(11).

<p>the CWD management zone established in s. NR 10.28(3), except as established in subdivision paragraphs b. through d.</p>	<p>to the opening of the early firearm season in this section. Wednesday immediately prior to the opening of the late firearm season in this section.</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</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>
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	<p>days.</p> <p>5. <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>6. <i>Holiday firearm season.</i> A firearm deer hunt beginning on December 24 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>One deer of either sex per unused deer carcass tag or permit described under s. NR 10.104(11).</p>
b. Unit 76M.	<p>1. <i>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>2. <i>Early shotgun season.</i> A</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</p>

	<p>shotgun hunt beginning on the Thursday nearest October 15 and continuing for 4 consecutive days.</p> <p>3. Shotgun <u>Firearm</u> deer season. A shotgun <u>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. <u>Late</u> shotgun <u>firearm</u> season. A shotgun <u>firearm</u> hunt beginning on the second Thursday following the Thanksgiving holiday and continuing for 4 consecutive days.</p> <p>6. <u>Holiday</u> shotgun <u>firearm</u> season. A shotgun <u>firearm</u> 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>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 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 regular gun deer season under s. NR 10.01(3)(e). 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>One antlerless deer per unused deer carcass tag or permit described under s. NR 10.104(11).</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 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-</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 unused deer carcass tag or permit described under s. NR 10.104(11).</p>
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	<p>day antlerless hunt above and continuing through the Sunday nearest January 6.</p>	<p>permit described under s. NR 10.104(11).</p>
<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</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</p>

	<p>Thanksgiving holiday and continuing for 4 consecutive days. <u>through the 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 immediately following the 4-day antlerless hunt above and continuing through the Sunday nearest January 6.</p>	<p>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>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. Early firearm season. 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. Gun deer season. 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. Muzzleloader season. A</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</p>

	<p>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><i>4. 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><i>5. Archery season.</i> 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 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.</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>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 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:

NR 10.01(3)(ev) <i>Special youth gun deer hunt event.</i>	
<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 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).</p>	

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
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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)