

ADMINISTRATIVE RULES FISCAL ESTIMATE AND ECONOMIC IMPACT ANALYSIS

Type of Estimate and Analysis

Original Updated Corrected

Administrative Rule Chapter, Title and Number

Natural Resources Board Order WM-21-13 amending Ch.'s NR 10, Game and Hunting, and NR 45, Use of Department Properties

Subject

Hunting and trapping in state parks

Fund Sources Affected

Chapter 20 , Stats. Appropriations Affected

GPR FED PRO PRS SEG SEG-S

None

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

These will be the first rule revisions related to hunting and trapping in state parks since passage of 2011 ACT 168 which established that those activities are generally allowed. These rules will eliminate language that is no longer needed, simplify existing regulations, and create new rules related to safety. These rules will not establish new season dates or modify periods when hunting and trapping are allowed in state parks.

The department's analysis indicates that these rules will have none or a minimal economic impact. Pursuant to the Governor's Executive Order 50, Section II, this is a level 3 economic impact analysis.

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)

Background Information

Following enactment of 2011 ACT 168, hunting and trapping are both allowed at state parks except where the Natural Resources Board has prohibited the activities in order to protect public safety or a unique plant or animal community. Under previous laws, state parks were statutorily closed to hunting unless the department had written rules specifically allowing a hunting opportunity at an individual state park. Statutes did not grant rule authority for the department to allow bear hunting. Statutes did not grant rule authority to allow trapping.

Some objectives of these proposed rules are to simplify hunting regulations, accomplish remedial updates to code language that is no longer needed, and to help assure the safety of state park visitors and, by extension, their pets.

Economic Impact

These rules will have none or a minimal impact on the amount of hunting or trapping that occurs at state parks. Correspondingly, it is expected that there will be no impact on the related expenditures of hunters and trappers and no economic impacts. Restricting dry land trapping activities to dog proof trap-types does have the incidental effect of restricting the species available for dry land trapping primarily to raccoons. However, raccoons are a desirable species for trappers and may be one of the primary dry land trapping opportunities at state parks - regardless of the types of regulations which are enacted. Enclosed trigger, dog proof traps are very effective for catching raccoons. The use of traps which are completely underwater is not affected by these proposed rules.

These rules are not expected to have an impact on the recreational activities of other state park visitors and no corresponding effects on their related expenditures and economic impacts. Potential state park visitors who are interested in activities other than hunting and trapping may make decisions about state park attendance based on their views of the compatibility of their recreation with hunting and trapping. However, these rules will not expand hunting and trapping activities and and, for safety purposes, hunting and trapping are already limited seasonally. Therefore, decisions about state park attendance are not likely to be made as a result of these rules.

These rules are applicable to individual hunters and impose no compliance or reporting requirements for small business. No design or operational standards are contained in these rules.

Fiscal Impact on the Department

The department anticipates that there will be no fiscal impacts as a result of implementing these rules. The Wisconsin State Park system already has a law enforcement program to enforce regulations on the properties it manages. Hunting and trapping can already legally occur under the provisions of 2011 ACT 168 and department guidance on implementing that ACT. These rules are not expected to result in any significant need for enforcement efforts.

Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

These rule are a potential benefit to the safety of state park visitors and their pets because they prohibit the discharge of firearms from-or-across certain trails. These rules also restrict trapping to the use of dog proof traps.

These rules will benefit turkey hunters by simplifying the number of hunting zone choices they need to consider and expanding the areas where they may hunt. Under current rules, a person who applies for a state park hunting zone can hunt only in that state park zone. Under the proposal, state parks will become part of the surrounding zones and hunting would be allowed anywhere in the new, larger zones.

These rules will simplify hunting regulations by eliminating a requirement to obtain an access permit and sign-in at a check station before small game hunting at three parks where small game hunting has been allowed under current rules; Governor Dodge, Mill Bluff, and Mirror Lake. Other state parks where hunting is now allowed under 2011 ACT 168 do not have similar requirements. Experience with these requirements has demonstrated that they are not necessary to control hunter activity and the information collected is infrequently or not used by the department. At the same three parks, these rules allow small game hunting with rifles or handguns where small game hunting has been allowed under current rules. Other state parks where hunting is now allowed under 2011 ACT 168 do not have firearm-type restrictions and the department believes that the prohibition is not necessary for safety or wildlife management purposes.

While there will be benefits to implementing these rules, they are not likely to have economic impacts.

The alternatives to be considered during this rules process are limited because statute establishes that hunting and trapping are legal activities at state parks. Prohibitions of those activities can only be made by the Natural Resources Board in order to protect public safety or a unique plant or animal community. The board has considered these concerns and has established restrictions for purposes of protecting public safety.

Long Range Implications of Implementing the Rule
<p>The state park system will continue to be a source of significant recreational opportunity and preserve prominent features of Wisconsin's landscape. The activities of visitors will continue to generate significant economic activity.</p>
Compare With Approaches Being Used by Federal Government
<p>Federal regulations allow states to manage the wildlife, recreational, and property 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.</p>
Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)
<p>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 public lands which are under their control.</p>
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