

## ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis <input checked="" type="checkbox"/> Original <input type="checkbox"/> Updated <input type="checkbox"/> Corrected	2. Date 7/15/20
3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable) Ch. NR. 10, Game and Hunting, WM-20-20	
4. Subject Establishing the 2021 migratory bird season framework and regulations.	
5. Fund Sources Affected <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEG-S	6. Chapter 20, Stats. Appropriations Affected None
7. Fiscal Effect of Implementing the Rule <input checked="" type="checkbox"/> No Fiscal Effect <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Increase Costs <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Indeterminate <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Could Absorb Within Agency's Budget	
8. The Rule Will Impact the Following (Check All That Apply) <input type="checkbox"/> State's Economy <input type="checkbox"/> Specific Businesses/Sectors <input type="checkbox"/> Local Government Units <input type="checkbox"/> Public Utility Rate Payers <input type="checkbox"/> Small Businesses <b>(if checked, complete Attachment A)</b>	
9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1). <b>\$ 0 (No implementation and compliance cost anticipated)</b>	
10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be \$10 Million or more Over Any 2-year Period, per s. 227.137(3)(b)(2)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
11. Policy Problem Addressed by the Rule Per federal regulations, states within the Mississippi Flyway may utilize two season splits during the regular Canada goose season. Traditionally, the department elected to utilize only a single season split. That changed in 2020, when data gathered through public input processes demonstrated majority support for adding a second split in the South Zone Canada goose season to extend the season over the Christmas and the New Year's holidays when people have time off and could take advantage of this additional hunting opportunity. This second split closed the Canada goose season for 15 days at the same time the South Zone duck season closed, then reopened the goose season in the South Zone for an additional 16 days.  For 2021, public input favored the continued use of two splits. Additionally, the public indicated support for increasing the Canada Goose bag limit to 5 geese/day during the third period over the holidays in the South Canada Goose Zone. From a harvest perspective, 90% of all Canada goose harvest occurs before December 1, and harvest analysis indicates that 80% of the Canada geese harvested in December are comprised of Wisconsin's own local temperate breeding Canada geese, so the department is not averse to adjusting the bag limit in the month of December as very few hunters participate during this time, and it will have a very minimal impact on overall harvest.  This rule proposes to maintain an earlier start date for the North Zone duck season that was implemented in 2020. This change was based on input collected from conservation organizations as well as the public via the waterfowl hunters survey, emails, phone calls, and public hearings in 2018 and 2019. This input showed hunters preferring a later opening date in the North Zone. This shift in public preference may have been influenced by the manner in which dates occurred within the annual calendar and the fact that the three autumns prior to 2018 were relatively mild. Wisconsin had the second coldest November on record during 2018 and an early winter in the North in both 2019 and 2020, which resulted in weeks of lost hunting opportunity. Input from conservation groups and the public in 2020 shifted back to a desire to start on the Saturday nearest September 24 from the previous date which was the Saturday nearest October 1st. Maintaining this earlier season start date has majority public support for 2021.	

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The proposed reconfiguration of migratory game bird zones and related duck season frameworks is based on public input and feedback from conservation partners. Public input favored the creation of a new Open Water Zone to allow hunters the ability to take advantage of late season opportunities in waters greater than 500 feet from the mainland shore on Green Bay and Lake Michigan. The creation of this new zone would result in the elimination of the Mississippi Zone. The feedback and input supported a two week later start than the South Zone and no split. This is the first year of this zone and the department will likely learn a lot from our hunters when we approach the season setting process next year on how to best structure the season in the future.

Under the federal framework for duck hunting, the USFWS is allowing Wisconsin a 60-day restrictive scaup season. This allows no more than one scaup per day for 15 days and two scaup per day for 45 days however, this restriction can be specific to each duck hunting zone. The scaup bag limit was similar in 2020 and three per day during the 2019 season.

Additionally, the USFWS is allowing Wisconsin a 70-day consecutive rail, snipe, and common gallinule (moorhen) season. Similar to the 2020 season, the department is proposing to open the season on September 1 and continue for 70 consecutive days which occurs during a period when hunters are most likely to be able to harvest these species. This start date is consistent with the early teal, early goose, and mourning dove season start date.

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12. Summary of the Businesses, Business Sectors, Associations Representing Business, Local Governmental Units, and Individuals that may be Affected by the Proposed Rule that were Contacted for Comments.

A notice for solicitation of comments on this analysis will be posted on the department's website in August 2020. No fiscal effects on small businesses, their associations, or local governments are anticipated.

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13. Identify the Local Governmental Units that Participated in the Development of this EIA.

A notice for solicitation of comments on this analysis were posted on the department's website during a 10 day period in August 2020.

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14. 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)

No effects on small businesses, their associations, or local governments are anticipated. The department does not anticipate any fiscal impacts as a result of these rules. Following is the department's preliminary analysis.

#### **Economic Impact**

Because the hunting season framework proposed in this rule will be very similar to those in place during previous seasons, no economic impacts are anticipated. We do not anticipate that these rules will result in changes in the activities of migratory bird hunters, their expenditures, and the related economic activity. These rules are applicable to individual hunters and impose no compliance or reporting requirements for small business, nor are any design or operational standards contained in the rule.

#### **Fiscal Impact**

The department anticipates no fiscal impact resulting from these rules. The department currently annually conducts a number of activities related to migratory bird hunting such as managing department lands, selling licenses, providing law enforcement services, and surveys and related research. The department will continue to conduct the same activities under the season framework proposed in this rule and does not anticipate any new or reduced expenditures.

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

By implementing this rule, Wisconsin's migratory bird hunters will continue to enjoy excellent hunting opportunities. The expenditures of migratory bird hunters and the economic impacts resulting from their expenditures will continue to benefit the state's economy.

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16. Long Range Implications of Implementing the Rule

Implementing these rules will have little impact on the public except that they will continue to have good hunting opportunities into the future.

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17. Compare With Approaches Being Used by Federal Government

Migratory game bird hunting is regulated by the United States Fish & Wildlife Service (USFWS), in 50 CFR part 20. Under international treaty and Federal law, migratory game bird seasons are closed unless opened annually through the USFWS regulations process. As part of the federal rule process, the service annually evaluates migratory game bird populations and breeding habitat in cooperation with state provincial agencies and the Canadian Wildlife Service. After considering recommendations from the flyway councils of states and the guidance of cooperatively developed harvest strategies, the USFWS establishes annual frameworks within flyway or bird populations regions. States can then establish hunting seasons within the sideboards for each species and region.

None of the provisions of this rule conflict with the federal framework.

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18. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

The department establishes migratory game bird hunting seasons based on a federal framework that is presented to Wisconsin by the US Fish & Wildlife Service. Because of the federal guidelines, Wisconsin's regulations are similar to those in neighboring states

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19. Contact Name	20. Contact Phone Number
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**ATTACHMENT A**

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1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

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2. Summary of the data sources used to measure the Rule's impact on Small Businesses

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3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- Less Stringent Compliance or Reporting Requirements
  - Less Stringent Schedules or Deadlines for Compliance or Reporting
  - Consolidation or Simplification of Reporting Requirements
  - Establishment of performance standards in lieu of Design or Operational Standards
  - Exemption of Small Businesses from some or all requirements
  - Other, describe:
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4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

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5. Describe the Rule's Enforcement Provisions

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6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

- Yes    No
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