

**ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD REPEALING, RENUMBERING
AND AMENDING, AMENDING, REPEALING AND RECREATING AND CREATING RULES**

The Wisconsin Natural Resources Board proposes an order to repeal ss. NR 10.01(3)(e)1.(intro.), and 4., (em)3. note, (es)2., 10.104(8)(a), (b), and (c), (10)(a) and (b); renumber and amend ss. NR 10.01(3)(e)5. and 6., (es)3., 10.104(8)(d) and (e); amend ss. NR 10.001(3t), 10.01(3)(em) 3., (ev), 10.104 (8)(intro.), (10)(intro.), (11)(a), 10.105(2), 10.40(3)(f), 19.02(4)(b), and 45.09(4); to repeal and recreate ss. NR 10.01(3)(e)1., 2., 3., (em)1. and 2., and 10.104(7); and to create s.s. NR 10.01(3)(ed), (ef), (em)4. and 5., 10.104(8)(a) note, and 10.28(1) and (4) relating to deer hunting season and permit issuance regulation changes.

WM-29-05

Analysis Prepared by the Department of Natural Resources

Statutory Authority and Explanation: Statutes that authorize the promulgation of this rule order include § 29.014, 29.089(3), and 29.177(3m), Stats. These sections grant rule making authority to the department to establish seasons, regulations and bag limits for hunting that ensure the citizens of the state continued opportunities for quality hunting. Additionally, these statutes provide authority for the department to manage state owned properties and issue special antlerless deer permits. All rules promulgated under this authority are subject to review under ch. 227, Stats.

Statutes Interpreted and Explanation: In promulgating this rule § 29.014, 29.024(6), 29.089(3), 29.173(3), 29.177, 29.181, and 29.559, Stats., have been interpreted as providing the department with the authority to allow the department to establish deer hunting regulations as well as deer license and deer carcass tag issuance regulations.

Related Statute or Rule: There are no rules or statutes currently under promulgation that relate to the provisions that are proposed in the administrative rule order.

Plain Language Rule Analysis: This rule order reflects my attempt to incorporate the following recommendations:

1. There will be a 2-day youth either sex gun hunt on the Saturday nearest October 8. A mentor will be required to accompany a youth (only the youth will be allowed to carry a gun) and the youth hunter will be required to place their regular buck deer carcass tag on an antlered buck (only one buck per youth hunter). Youth hunters would be allowed to harvest as many antlerless deer as they have valid tags for.
2. The late archery season will close the Sunday nearest January 6th. This change will ensure that the late bow season will be open during the New Year's holiday every year.
3. There will be a statewide 4-day antlerless gun hunt beginning on the 2nd Thursday following the Thanksgiving holiday. The hunt will be open in all units south of Hwy. 8 to anyone with a valid antlerless deer permit, and open in all units north of Hwy. 8 in 2006.
4. In herd control units (currently Zone-T and EAB units) antlerless tags will be unrestricted. The first antlerless tag is free with the purchase of a gun and archery license. Additional tags will be available for a minimal handling fee (\$2 unless purchased on-line or over the phone in which case the standard processing fee (\$3) will be applied in addition to the \$2).
5. River Block Units would be treated the same as the rest of the state in season dates and tagging options.
6. The archery license would come with two tags valid statewide: one valid for one antlered deer only and the other valid for antlerless only. This change will retain the either sex hunt option for archery while simplifying tagging options. There will be only two types of tags: buck and antlerless. There will be no more either sex tags – except for two very limited exceptions.
7. The Hunter's Choice program would be replaced by the sale of antlerless tags valid in limited quota (regular) units as additional deer. Antlerless permits would be sold first come, first serve for \$12 each (\$20 for non-residents). Tags would be available on August 1st, one per hunter per day.
8. There would be no October 4-day antlerless only hunt outside CWD zones in 2006 and 2007. (In the event that the average antlerless:antlered harvest ratio in herd control units statewide is below 1.4 in 2006, the rule may immediately sunset.) In the event that inadequate herd control is realized as a result of this trial, the 4-day October antlerless deer gun hunt would return in 2008. The start date would be the Thursday nearest October 15 and it would occur in DMUs where a regular season of buck plus quota will not bring the population to within 20% of the over-winter goal.
9. The Earn-A-Buck season structure would be an available tool (in 2006 and 2007) for recommendation to the Natural Resources Board based on the criteria currently used (EAB pre-qualification will be implemented).
10. A first come-first served system to sell bonus tags as the deer hunting access permission on state parks open to hunting.
11. None of these proposed changes apply to the CWD Zones or season structures.

Federal Regulatory Analysis: Provided state rules and statutes do not relieve individuals from the restrictions, requirements and conditions of Federal statutes and regulations, regulation of hunting and trapping of native species has been delegated to state fish and wildlife agencies. None of the proposed rules exceed the authorities granted the states in 50 CFR 10.

State Regulatory Analysis: Minnesota has deer seasons that run from early to mid-November, with a muzzleloader season that runs from the end of November to mid-December. There is a two-day youth deer hunt in northwest Minnesota. Gun and archery licenses are purchased separately. Minnesota only issues one tag with each license, with additional tags available for purchase. There is a lottery for these tags in "lottery deer permit areas".

Michigan has a firearm season that runs from mid-November to the end of November, an archery season that runs from October to January, and a nine-day muzzleloader season in December. There is also a two-day youth hunt in September. Like Wisconsin, hunters purchase either a firearm or archery deer license. A regular license allows the harvest of a buck and an antlerless license allows the harvest of an antlerless deer. An antlerless license may be applied for (for a fee) and a drawing is held to determine successful applicants who then may purchase an Antlerless License.

Illinois has multiple short gun seasons that falls between late November to mid-January. The archery season runs from the beginning of October to mid-January. There is also a two-day Youth Firearm Deer Season in October. Hunters must purchase separate gun and archery authorizations, similar to Wisconsin. All carcass tags must be purchased; additional tags may be acquired through a lottery.

Iowa has a split gun season in December, muzzleloader season from mid-December to mid-January, and a bow season that runs from October to December. There is a youth hunt open to Iowa residents only, which runs from mid-September to October. Iowa's deer license is not weapon specific. There is only one tag issued per license but additional tags may be purchased with the first antlerless tag costing \$26 and subsequent tags costing \$11 each. These tags are first come, first served until quotas are filled.

Overall, Wisconsin's deer hunting license and season structure is similar to those of neighboring states. One exception is that Wisconsin issues more than one harvest authorization with a deer license. Also, if the current proposal is approved, Wisconsin will be the only state to issue hunting authorizations to all hunters free of charge.

Summary of Factual Data and Analytical Methodologies: DNR support for not having an October hunt in this proposal is dependent upon a thorough evaluation of the antlerless harvest changes that occur. For two years (2006 and 2007), the department would carefully monitor the kill and the effects to the population in both regular and herd control units. After each season staff will evaluate the harvest and resulting population changes in relation to the population goals, and report to the Natural Resources Board. Deer population changes statewide and at regional and unit specific levels will be monitored to determine whether to extend the 2-year test for a longer period of time. Public opinion toward these changes will also be monitored. During the test, the department will continue to consider and recommend EAB based on current criteria.

If either of the criteria below are not fully met, the department will ask NRB to allow the rule to expire.

Criteria 1: The average antlerless:antlered harvest ratio in herd control units must meet or exceed 2.0 in all deer management regions.

Criteria 2: All sections of the proposed season structure must be implemented.

Due to concerns that rapid herd growth can occur in many DMUs if minimal antlerless deer harvest is not met, a one-year sunset criteria is included. If the average antlerless:antlered harvest ratio in herd control units statewide is below 1.4 antlerless deer per antlered buck in 2006, the Department may ask the Natural Resources Board to immediately sunset the rule.

The ramifications of this change to deer populations have the potential to be significant. If antlerless deer harvest in herd control units fails to meet that of previous October hunts, the department expects the need to recommend widespread use of EAB season structure at the end of the trial.

This structure is a test of the effectiveness of free herd control tags and a December gun hunt south of Hwy. 8 and in herd control units north of Hwy. 8, in fully replacing the antlerless deer harvest realized during the October Zone T hunts. The rule will sunset to a 4-day October antlerless gun hunt starting the Thursday nearest October 15 in units identified based on the criteria currently in Administrative Code (NR 10.01 (3)(ez)2.) immediately at the end of this test (the term of the test ends with the end of the 2007 deer season) unless there is evidence that unequivocally demonstrates that the new season structure is at least as effective for population control as the current Zone T structure.

EAB pre-authorization will be implemented with a system of electronic tracking of registration stubs by using a contractor to key in information from stubs that will be mailed to them from registration stations. Under this protocol, a hunter would be issued a buck authorization only if and when the unit they harvested an antlerless deer in becomes an EAB unit in the year

immediately following the harvest of an antlerless deer. With the electronic database of registrations, buck stickers can be mailed to hunters when EAB is approved. "Pre-authorization" has been a frequent request of hunters and hunting groups in response to EAB implementation. Further, without an October hunt (at least for 2006 and 2007), pre-authorization will facilitate implementation of the necessary EAB seasons.

Anticipated Private Sector Costs: Implementation of this rule is on a Deer Management Unit basis and based on the deer population in that unit, the fiscal effects on individual hunters vary. In Herd Control Units, antlerless permits will be available for a nominal processing fee (\$2, with an additional \$3 service charge for phone and Internet purchases). This will be cost savings for hunters, as in previous years, these permits were sold at the cost of \$12 for residents and \$20 for non-residents. In addition archers statewide will be receiving an additional antlerless tag. Therefore, bowhunters will not need to purchase an antlerless permit if they wish to harvest an antlerless deer in addition to a buck in any unit. However, in addition to these cost savings for hunters, there will be an added cost for those hunters in Regular Units. In these units, where the number of antlerless permits are limited, Hunter's Choice will no longer be used. As a result, a hunter can no longer apply to harvest a buck or an antlerless deer for \$3. Rather if the hunter wants the ability to shoot a deer of either sex, they will need to buy an antlerless permit (\$12 resident, \$20 non-resident). This will be an added cost for those hunters in Regular Units.

Effects on Small Businesses: These rules are applicable to individual sportspersons and impose no compliance or reporting requirements for small businesses, nor are any design or operational standards contained in the rule.

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Section 1. NR 10.001(3t) is amended to read:

NR 10.001(3t) "Bonus deer hunting permit" for purposes of s. 29.181, Stats., means any additional carcass tags issued under s. NR 10.01 (3) (ez), ~~any antlerless deer permits issued under s. NR 10.104 (6) (a) for gun deer season zone B as described in s. NR 10.01 (3) (e), purchased~~ and any antlerless permits issued under s. NR 10.104 (8) ~~(e), (d) (a) and (e) (b).~~

Section 2. NR 10.01(3)(e)1.(intro.) is repealed.

Section 3. NR 10.01(3)(e)1. is repealed and recreated to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
<p>NR 10.01(3)(e) 1.a. All that part of the state not otherwise listed in subdivision paragraph b., subs. 2. to 6., 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>One buck deer and additional antlerless deer as authorized by antlerless deer permits issued under s. NR 10.104.</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), Dunn (unit 59B portion), Fond du Lac, Green, Jefferson, Kenosha, Kewaunee, 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), Trempealeau national wildlife refuge, Walworth, Washington, Waukesha, Waupaca and Winnebago.</p>	<p>Shotgun 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>

Kind of animal and locality	Open season (all dates inclusive)	Limit
<p>c. All that part of the state not otherwise listed in subds. 2. to 6., or in CWD zones described in s. NR 10.28 (3) not included in the December herd control zone identified in s. NR 10.28(1).</p>	<p>4-day deer gun season beginning the second Thursday following the Thanksgiving holiday. Allowable types of guns are those authorized on the first day of the deer gun season identified in subdivision paragraphs a. or b.</p>	<p>One antlerless deer per antlerless deer permit issued under s. NR 10.104.</p>
<p>d. In 2006, all deer management units located in the December herd control zone identified in s. NR 10.28(1) not otherwise listed in subds. 2. to 6., or in CWD zones described in s. NR 10.28 (3).</p>	<p>4-day firearm season beginning the second Thursday following the Thanksgiving holiday.</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., starting in 2008 if the harvest resulting from the permit issuance procedures established in par. (ed)1.a. in a deer management region does not meet the performance measures established in par. (ef)1. Additionally, this season may be implemented in 2007 in a deer management unit that meets the criteria established in par. (ed)2., if the 2006 harvest resulting from the permit issuance procedures established in par. (ed)1.a. does not meet the performance measures established in par. (ef)2.</p>	<p>Firearm season beginning on the Thursday nearest October 15 and continuing for 4 consecutive days. The firearm type in a deer management unit is the same as authorized during the seasons listed in subdivision paragraphs a. and b.</p>	<p>One antlerless deer per antlerless deer permit issued under s. NR 10.104.</p>

Section 4. NR 10.01(3)(e)2. is repealed and recreated to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
<p>NR 10.01(3)(e)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, 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) 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: the portion of Big Bay state park located on Madeline Island west of a north-south line beginning at the park entrance on Haines road, Governor Thompson, Elroy-Sparta, Hartman Creek, Interstate, the Plum Island portion of Grand Traverse Islands, Mill Bluff, Newport, Rock Island, 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 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. Wildcat Mountain (unit 72A), Rib Mountain (unit 57D), Harrington Beach (unit 69C) and Kohler-Andrae (77E) state parks.</p>	<p>Muzzleloading firearm season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 19 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>e. Council Grounds state park (unit 52A)</p>	<p>Shotgun season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 9 consecutive days followed by a muzzle loading firearm season beginning on the following Monday and continuing for 10 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>f. Brunet Island (unit 23A) state park.</p>	<p>Muzzleloading firearm season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 19 consecutive days.</p>	<p>One antlerless deer or one deer of either sex as authorized by deer permits issued under s. NR 10.104.</p>
<p>g. Loew Lake Unit - Kettle Moraine state forest (unit 77D).</p>	<p>Muzzleloading firearm season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 9 consecutive days. Muzzleloader firearm deer hunting is limited to persons holding a permit for unit 77D.</p>	<p>One buck deer and additional antlerless deer as authorized by antlerless deer permits issued under s. NR 10.104.</p>

Section 5. NR 10.01(3)(e)3. is repealed and recreated to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
<p>NR 10.01(3)(e)3. Federal properties</p> <p>a. Badger army ammunition plant in Sauk county, Fort McCoy military reservation in Monroe county and Volk Field military facility in Juneau county.</p> <p>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.</p>	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.
b. Deer management unit 79 – Apostle Islands	Muzzleloading firearm season October 1-31.	One deer either sex.

Section 6. NR 10.01(3)(e)4. is repealed.

Section 7. NR 10.01(3)(e)5. and 6. are renumbered NR 10.01(3)(e) 4. and 5. and amended to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
<p>NR 10.01(3)(e)4. Zone "E"</p> <p>Menominee county (unit 48)</p>	Firearm season type as established by the Menominee tribe for tribal members only.	As established by the Menominee tribe.
<p>5. Zone "M" <u>Metro units.</u></p> <p>a. Deer management units 59M, 60M, 64M and 77M.</p>	<p>Shotgun season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 19 consecutive days.</p> <p><u>4-day shotgun season beginning the second Thursday following the Thanksgiving holiday.</u></p>	<p>One buck deer or and additional antlerless deer as authorized by hunter's choice and antlerless deer permits issued under s. NR 10.104.</p> <p><u>One antlerless deer per antlerless deer permit issued under s. NR 10.104.</u></p>
b. Deer management unit 1M.	<p>Firearm season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 19 consecutive days.</p> <p><u>4-day firearm season beginning the second Thursday following the Thanksgiving holiday.</u></p>	<p>One buck deer or and additional antlerless deer as authorized by hunter's choice and antlerless deer permits issued under s. NR 10.104.</p> <p><u>One antlerless deer per antlerless deer permit issued under s. NR 10.104.</u></p>

Section 8. NR 10.01(3)(ed) is created to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
<p>NR 10.01(3)(ed)1. Deer herd control measures. a. The department may, upon making the findings in subd. 2. modify the deer permit issuance procedures as described in this paragraph for any deer management unit to reduce the deer population nearer to the overwinter population goals established in s. NR 10.104. Under this paragraph special permits for antlerless deer under s. 29.177, Stats., may be issued free of charge at the rate of one permit per license authorizing deer hunting or 2 permits per conservation patron license. The permits may be used to hunt and tag deer during any of that year's deer seasons for the units specified under subd. 2. Additional special permits for antlerless deer shall be issued at no charge, except for a handling fee authorized under s. 29.556, Stats., and s. NR 19.02.</p>		
<p>b. If after 2 consecutive years, as described in subd. 1. a or par. (ez)1.a. and am., the department determines a third season, as described under subd. 1.a., is unlikely to reduce the deer population to within 20% of the overwinter population goal established in s. NR 10.104 for the same deer management unit or units in the subsequent year, hunters shall harvest or tag an antlerless deer in that unit or units with either a bow or a gun during any deer season or with an agricultural shooting permit, before they may tag a buck with either weapon in that unit or units. One antlerless deer is required to authorize harvest of one buck in that unit or units, or in state parks with gun deer seasons that are within or adjoining these units, for</p>		

each archery and gun deer license. Deer harvested as described in this paragraph shall be transported in accordance with s. NR 10.105 (3).

c. If after a season as described in subd. 1. b., the department determines a season as described in subd. 1. a., is unlikely to reduce the deer population to within 20% of the overwinter population goal, established in s. NR 10.104, for the same deer management unit or units in the subsequent year, hunters may only hunt deer in accordance with subd. 1. b.

2. Findings. The department shall, prior to making any modification for a deer management unit under subd. 1., find that it is unlikely the deer population for the deer management unit will be reduced to within 20% of the overwinter population goal established in s. NR 10.104 under the established deer hunting seasons, including the December hunt. In making this determination, the department shall compare the deer harvest required to reduce the deer population to goal to the deer harvest likely to occur under the existing season structure.

3. Notice. Modification by the department under subd. 1. shall become effective upon issuance of an order and publication in the official state newspaper. In addition, a notice of the order shall be provided to newspapers, legislators and hunting license outlets in the area affected.

4. CWD zones. This paragraph does not apply to areas described in par. (et) 1. a. and 2. a. and b.

5. Sunset. This paragraph replaces par. (ez) in 2006 and 2007.

Section 9. NR 10.01(3)(ef) is created to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
NR 10.01(3)(ef)1. Biennial performance measures. a. Following the 2006 deer seasons, the average antlerless:antlered harvest ratio from the 2 previous years in deer management units that meet the criteria established in par. (ed)2. shall equal or exceed the antlerless:antlered ratio identified in subd. 1.b. for the region in which the unit is located as established in s. NR 10.28(4). The deer management units conducting herd control measures identified in par. (ed)1.b. are not included in the determination of this performance measure.		

b. Antlerless:antlered harvest ratios.

Deer Management Region	Antlerless:antlered ratio
Western Farmland	2
Southern Farmland	2
Eastern Farmland	2
Central Forest	2
Northern Forest	2

2. Annual performance measures. The total antlerless:antlered harvest ratio in deer management units that meet the criteria established in par. (ed)2., and are implementing the permit issuance procedures identified in par. (ed)1.a., shall equal or exceed 1.4 antlerless deer per antlered buck. The deer management units conducting herd control measures identified in par. (ed)1.b. are not included in the determination of this performance measure.

Section 10. NR 10.01(3)(em)1. is repealed and recreated to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
NR 10.01(3)(em) Deer bow season. 1.a. Statewide except as established under subs. 2. through 5. and pars. (ed), (et) and (ez).	<i>Early archery season.</i> Beginning on the Saturday nearest September 15 and continuing through the Thursday immediately prior to the opening of the deer gun season described in par. (e).	One buck and one antlerless deer as authorized by the appropriate carcass tag and additional antlerless deer as authorized by antlerless permits issued under s. NR 10.104.
b. All deer management units that are not located in the December herd control zone identified in s. NR 10.28(1), and in 2006 in those deer management units within the December herd control zone.	<i>Late archery season.</i> Reopening on the day immediately after the deer gun season described in par. (e)1.a. and b. and continuing through the second Wednesday following the Thanksgiving holiday.	One buck and one antlerless deer as authorized by the appropriate carcass tag and additional antlerless deer as authorized by antlerless permits issued under s. NR 10.104.
	Beginning on the second Thursday following the Thanksgiving holiday and continuing for 4 consecutive days.	One antlerless deer per antlerless deer permit issued under s. NR 10.104.
	Beginning on the day immediately following the 4-day antlerless hunt above and continuing through the Sunday nearest January 6.	One buck and one antlerless deer as authorized by the appropriate carcass tag and one additional antlerless deer as authorized by antlerless permits issued under s. NR 10.104.
c. Beginning in 2007, all deer management units that are located within the December herd control zone.	<i>Late archery season.</i> Reopening on the day immediately after the deer gun season described in par. (e) and continuing through the Sunday nearest January 6.	One buck and one antlerless deer as authorized by the appropriate carcass tag and additional antlerless deer as authorized by antlerless permits issued under s. NR 10.104.

Section 11. NR 10.01(3)(em)2. is repealed and recreated to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
NR 10.01(3)(em)2. 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.	Bow season 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.
<p>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.</p>		

Section 12. NR 10.01(3)(em)3. is amended to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
NR 10.01(3)(em)3. Metro units		
Deer management units 1M, 59M, 60M, 64M and 77M.	Beginning on the Saturday nearest September 15 and continuing through the Thursday immediately prior to the opening of the deer gun season described in par. (e).	One deer of either sex buck and one antlerless deer as authorized by the appropriate carcass tag and one additional antlerless deer per hunter's choice and per bonus permit as authorized by antlerless permits issued under s. NR 10.104.
	<u>Reopening on the Saturday immediately preceding the Thanksgiving holiday and continuing through the second Wednesday following the Thanksgiving holiday.</u>	<u>One buck and one antlerless deer as authorized by the appropriate carcass tag and additional antlerless deer as authorized by antlerless permits issued under s. NR 10.104.</u>
	<u>Beginning on the second Thursday following the Thanksgiving holiday and continuing for 4 consecutive days.</u>	<u>One antlerless deer per antlerless deer permit issued under s. NR 10.104.</u>
	<u>Beginning on the day immediately following the 4-day antlerless hunt above and continuing through the January 31.</u>	<u>One buck and one antlerless deer as authorized by the appropriate carcass tag and one additional antlerless deer as authorized by antlerless permits issued under s. NR 10.104.</u>

Section 13. NR 10.01(3)(em)3. note is repealed.

Section 14. NR 10.01(3)(em)4. is created to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
<p>NR 10.01(3)(em)4. State parks. No person may hunt deer with a bow or crossbow 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 bow or crossbow in Perrot, Peninsula, Wyalusing, Wildcat Mountain, Council Grounds, Rib Mountain, Harrington Beach, Kohler-Andrae or Brunet Island state parks without first obtaining a permit which authorizes access to the park.</p>		
a. Buckhorn state park and the Plum Island portion of Grand Traverse Islands state park.	During the early and late archery seasons described in subd. 1.	One buck and one antlerless deer as authorized by the appropriate carcass tag and additional antlerless deer as authorized by antlerless permits issued under s. NR 10.104.
b. The portion of Big Bay state park located on Madeline Island west of a north-south line beginning at the park entrance on Haines road, Mill Bluff state park and Rock Island state park.	Beginning on Oct. 15 and continuing for the remainder of the early archery season and the entire late archery season described in subd. 1.	One buck and one antlerless deer as authorized by the appropriate carcass tag and additional antlerless deer as authorized by antlerless permits issued under s. NR 10.104.

Section 15. NR 10.01(3)(em)5. is created to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
<p>NR 10.01(3)(em)5. October antlerless deer hunt</p>		
All units statewide where the antlerless gun deer hunt described in subd. (e)1.e is in effect.	Archery season beginning on the Thursday nearest October 15 and continuing for 4 consecutive days.	One antlerless deer per antlerless deer permit issued under s. NR 10.104.

Section 16. NR 10.01(3)(em)5. is created to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
c. The following state parks and trails: Elroy-Sparta, Council Grounds, Hartman Creek, Interstate, Kinnickinnic, Wildcat Mountain (unit 72A), Rib Mountain (unit 57D), Harrington Beach (unit 69C), Kohler-Andrae (77E), Willow River, Newport, Rock Island and Tuscobia-Park Falls.	During the late archery seasons described in subd. 1.	One buck and one antlerless deer as authorized by the appropriate carcass tag and additional antlerless deer as authorized by antlerless permits issued under s. NR 10.104.
d. Brunet Island (unit 23A) state park.	During the late archery seasons described in subd. 1.	One antlerless deer as authorized by the appropriate carcass tag or one deer of either sex as authorized by deer permits issued under s. NR 10.104.

Section 17. NR 10.01(3)(es)1. is amended to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
NR 10.01(3)(es) Muzzleloader deer season.		
1. Entire state, except for the areas described in subd. 2., par. (et), deer management units 1M, 59M, 60M, 64M, and 77M, and state parks.	Beginning on the Monday immediately following the Thanksgiving holiday and continuing for 10 consecutive days.	One buck deer or and additional antlerless deer as authorized by hunter's choice and antlerless deer permits issued under s. NR 10.104.

Section 18. NR 10.01(3)(es)2. is repealed.

Section 19. NR 10.01(3)(es)3. is renumbered NR 10.01(3)(es)2. and is amended to read.

Kind of animal and locality	Open season (all dates inclusive)	Limit
NR 10.01(3)(es)2. Loew Lake Unit - Kettle Moraine state forest (unit 77D).	Beginning on the Monday immediately following the Thanksgiving holiday and continuing for 10 consecutive days. Muzzleloader deer hunting is limited to persons holding a permit for which <u>authorizes access to hunt deer in unit 77D issued pursuant to s. 29.177, Stats. by the department.</u>	One buck deer <u>and additional antlerless deer</u> as authorized by hunter's choice and antlerless deer permits issued under s. NR 10.104.

Section 20. NR 10.01(3)(ev) is amended to read (amended to reflect modifications to CHR 05-086, highlighted text indicates area of change):

NR 10.01(3)(ev) *Special youth antlerless deer hunt event.* Persons 12 years of age or older but under the age of 16 years of age who possess a certificate of accomplishment under s. 29.591, Stats., or its equivalent from another state or province, may hunt ~~antlerless deer with a firearm for 2 consecutive days beginning on the Saturday of a herd control hunt defined under par. (ez) 1. a. nearest October 8 in all deer management units, except state park units, and units not included in a deer herd control firearm hunt under par. (ez) or (et) on the same day~~ deer management unit 48 and federal lands. Allowable types of firearms are those authorized on the first day of the regular gun deer season under par. (e). The bag limit is one ~~antlerless buck deer per hunter's choice or antlerless deer permit issued under s. NR 10.104 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).~~ Youth who are first time graduates of the hunter education program may use their certificates of accomplishment ~~in place of a hunter's choice permit issued under s. 29.177, Stats.,~~ to take an antlerless deer. Hunters shall be accompanied by an adult 18 years of age or older. One adult may not accompany more than 2 hunters and all other hunting regulations apply. Blaze orange requirements under s. 29.301 (2), Stats., apply to all hunters on ~~this day~~ these days except waterfowl hunters.

Section 21. NR 10.104(7) is repealed and recreated to read:

NR 10.104(7) DEER CARCASS TAGS. (a) *Archery carcass tags.* Each license which authorizes the hunting of deer with a bow shall include one carcass tag that is valid for taking one buck deer in any unit statewide, except in units that are included in an earn-a-buck season under s. NR 10.01(3)(ed)1.b., (ez)1.d., or (et) when an antlerless deer must be tagged prior to the harvest of a buck. Each license which authorizes the hunting of deer with a bow shall also include one carcass tag that is valid for the taking of one antlerless deer in any unit statewide.

(b) *Gun deer carcass tag.* Each license which authorizes the hunting of deer with a firearm, shall include one carcass tag that is valid for taking one buck deer in any unit statewide, except in units that are included in an earn-a-buck season under s. NR 10.01(3)(ed)1.b., (ez)1.d., or (et) when an antlerless deer must be tagged prior to the harvest of a buck.

Section 22. NR 10.104(8)(intro.) is amended to read:

NR 10.104(8) PERMIT ISSUANCE. (intro.) ~~Upon receipt of proper application, the~~ The department shall issue permits in the following manner:

Section 23. NR 10.104(8)(a), (b) and (c) are repealed.

Section 24. NR 10.104(8)(d) is renumbered NR 10.104(8)(a) and is amended to read:

NR 10.104(8)(a)(title) *Unallotted Antlerless permits*. The department may issue ~~any remaining~~ antlerless deer permits to interested permit applicants on a first-come, first-served basis to individuals who possess a valid deer hunting license.

Section 25. NR 10.104(8)(a) note is created to read:

Note: The department conducts extensive publicity on the day when the antlerless permits are first available for sale beginning several months prior to the purchase date. Permit sale dates are published in news releases, license outlet handouts, and pertinent regulation pamphlets. Permits are available from department license agents, on-line at dnr.state.wi.us or by telephone at 1-877-945-4236.

Section 26. NR 10.104(8)(e) is renumbered NR 10.104(8)(b) and amended to read:

NR 10.104(8)(b) *Bonus permits for farm owners*. Eligible resident farm owners under s. 29.181, Stats., will receive one free bonus permit for each one they purchase in deer management units with additional permits as described in s. NR 10.104(8)(~~e~~)(a). Where there are joint owners or vendee names under a land contract, only one of the owners or vendedes is eligible. To be an eligible farm under this section, a majority of the land must be used on a commercial basis, to produce income.

Section 27. NR 10.104(10) (intro.) is amended to read:

NR 10.104(10) BAGLIMIT. (intro.) Each issued antlerless deer hunting permit shall authorize the use of the holder's current valid Wisconsin deer hunting license, back tag and antlerless carcass tag for the killing taking of one antlerless deer only in the deer management unit or units designated on the permit ~~as follows:~~

Section 28. NR 10.104(10)(a) and (b) are repealed.

Section 29. NR 10.104(11)(a) is amended to read:

NR 10.104(11)(a) *Regular deer hunting carcass tags*. A valid gun or archery deer license carcass tag or a special antlerless permit issued under s. NR 10.01 (3) (~~ed~~), (ez), 10.104 (8), 12.06, 12.15 or 19.11 are all valid for tagging an antlerless deer or a buck deer pursuant to the procedure described in par. (b) 3.

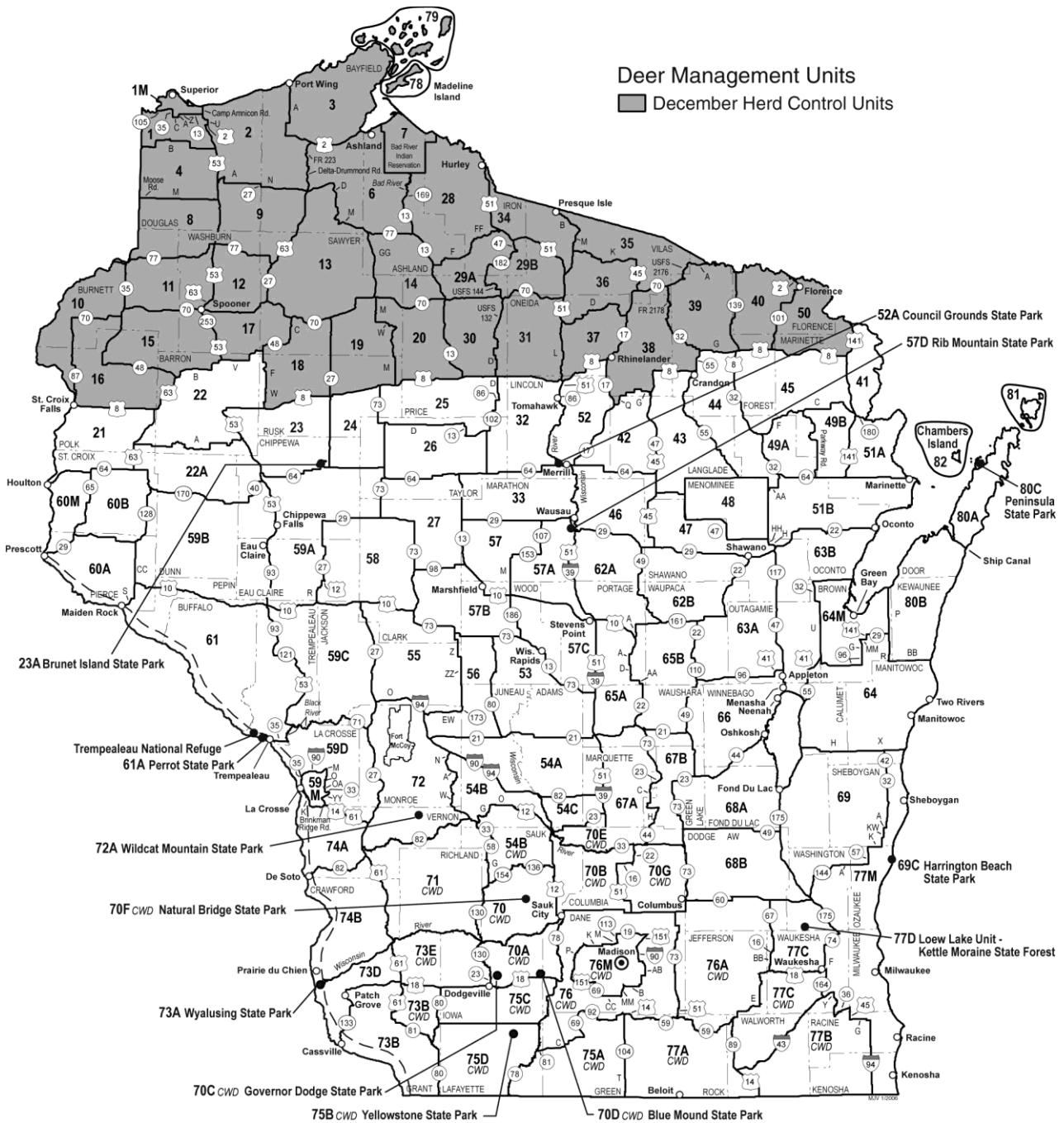
Section 30. NR 10.105(2) is amended to read:

NR 10.105(2) In deer management units with deer seasons modified under s. NR 10.01 (3) (~~ed~~)1.b. or (ez) 1. d., or in the CWD eradication or herd reduction zones, during the earn-a-buck archery or earn-a-buck firearm hunts, no person may transport a buck deer from the time it is killed to the time it is registered under s. NR 10.106 unless accompanied by the antlerless deer or antlerless deer registration verification which authorized the taking of the buck deer. An antlerless deer may be used only by the hunter who tagged it to secure authorization for that hunter to tag one buck deer in the unit or units modified under s. NR 10.01 (3) (~~ed~~)1.b. or (ez) 1. d. or in the CWD eradication or herd reduction zones. Deer may only be transported outside of the unit of kill or adjoining unit after they have been registered.

Section 31. NR 10.27 is repealed.

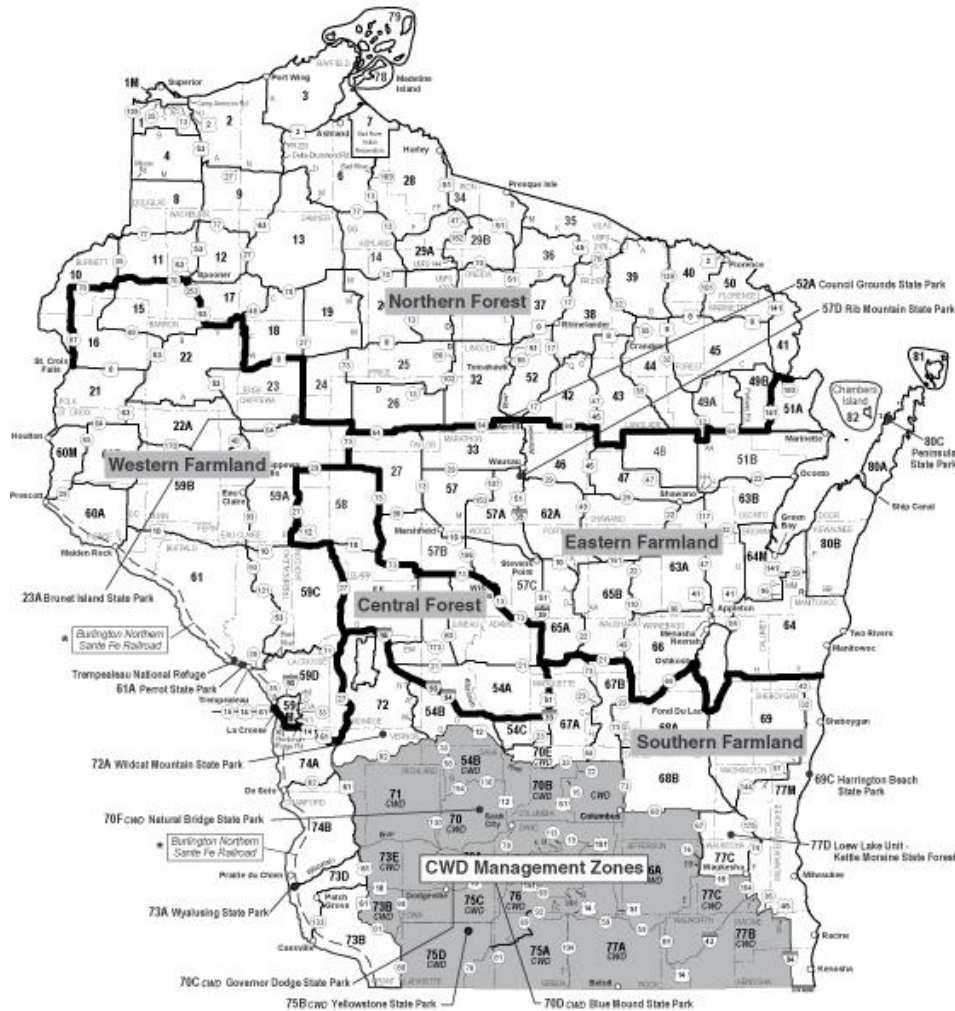
Section 32. NR 10.28(1) is repealed and recreated to read:

NR 10.28(1) STATEWIDE DEER MANAGEMENT UNITS.



Section 33. NR 10.28(4) is created to read:

NR 10.28(4) Deer management regions.



Section 34. NR 10.40(3)(f) is amended to read:

NR 10.40(3)(f) *Rule compliance.* Unless otherwise provided by the department, all disabled hunters and accompanying persons shall comply with all hunting rules and laws applicable to the regular gun deer season specified under s. NR 10.01 (3) (e). The bag limit is one deer ~~per hunter's choice and~~ per antlerless deer permit issued under s. NR 10.104, and per special permit issued under s. NR 10.01 (3) (ed) or (ez) or (et). Other hunters, hunting on the lands described on the application during the special gun deer hunt, shall comply with the blaze orange clothing requirements in s. 29.301(2), Stats., except for waterfowl hunters.

Section 35. NR 19.02(4)(b) is amended to read:

NR 19.02(4)(b) The handling fee for each order shall be established by the department based upon projected mailing costs, credit transaction fees, credit verification fees, personnel costs, telecommunications costs and lock box charges associated with processing the order and may not exceed ~~\$3.00~~ \$5.00 per order.

Section 36. NR 45.09(4) is amended to read:

NR 45.09(4) Nothing in this section shall prohibit the hunting of deer as provided in s. 29.621 (4), Stats., in accordance with the open seasons established by s. NR 10.27, ~~except that for those projects listed in s. NR 10.27 (1), (2), (6) and (8), hunting is limited to persons holding a permit for the project issued pursuant to ss. 29.177 and 29.181, Stats 10.01(3).~~

Section 37. Effective date. This rule shall take effect the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22(2)(intro.), Stats.

Section 38. Board adoption. This rule was approved and adopted by the State of Wisconsin Natural Resources Board on December 7, 2005, January 31, 2006 and April 26, 2006.

Dated at Madison, Wisconsin _____.

STATE OF WISCONSIN_____
DEPARTMENT OF NATURAL RESOURCES

By _____
Scott Hassett, Secretary

(SEAL)