

STATEMENT OF SCOPE

Department of Natural Resources

Rule No.: WM-24-18

Relating to: Closed areas and refuges

Rule Type: Permanent

1. Finding/nature of emergency (Emergency Rule only):

These will be permanent rules.

2. Detailed description of the objective of the proposed rule:

This rule package will modify regulations found in Ch's. NR 11 Closed Areas and 15 Game Refuges. Modifications will include updating wildlife refuge and closed area designations, boundaries, and maps.

Additional rule changes may be pursued which are reasonably related to those discussed here.

These rules may make additional updates such as correcting cross-reference citations, updating road names on maps, changes needed in order to update application forms or revisions which are necessary for consistency with recently enacted legislation.

3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

Current rules establish properties as closed areas and wildlife refuges. These designations restrict the public's ability to access these properties for activities during specific dates. Many of the current closed area and refuge definitions are decades old. During that time wildlife use of the property has changed. This proposal will update the closed area and refuges designations of all currently designated properties so that the designations reflect the current property use. Even if the designation of a property does not change, we will be updating maps for each property so that they are consistent with each other and so the boundaries of these areas are easily identifiable by the public.

4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

The chapter on wild animals and plants, in s. 29.014, "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.

The department is generally charged with the care, protection, and supervision of state lands by s. 23.11 Stats.

In addition, s. 29.053 (2) grants the department the ability to exercise its authority under s. 29.014 to establish open and closed seasons to the state as a whole, or for any specified county or part of a county.

5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule :

240 hours.

6. List with description of all entities that may be affected by the proposed rule :

Hunters, trappers, and individuals who recreate on public lands are the principal groups that will be affected by this rulemaking.

7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule :

States possess inherent authority to manage the wildlife resources located within their boundaries, except insofar as preempted by federal treaties and laws, including regulations established in the Federal Register. None of these rule changes violate or conflict with the provisions established in the Federal Code of Regulations

8. Anticipated economic impact of implementing the rule (note if the rule is likely to have an economic impact on small businesses):

Based on our preliminary analysis, we do not anticipate an economic impact to individuals or groups. If there were to be any economic impact resulting from this rule, we anticipate that it would be very minimal. 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.

9. Anticipated number, month and locations of public hearings :

The Department anticipates holding four public hearings in the month of March 2019. Hearing cities will be: La Crosse, Rice Lake, Appleton & Pewaukee.

The Department will hold these hearings in these locations to hold them in conjunction with the annual migratory public meetings that are held to establish quotas.

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