

STATEMENT OF SCOPE

Department of Natural Resources

Rule No.: WM-01-19

Relating to: Black Bear Management, re: Ch. NR 10, Wis. Administrative Code

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 will implement changes related to bear management and hunting regulations that have emerged from the Department's 2019 bear management plan. Some of the objectives from this plan may include adjusting the bear management zone boundaries, creating new bear management zones, and changing how harvest quota decisions are made.

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 rule establishes four black bear hunting zones. This rule may add more zones and adjust the boundaries of current zones.

Additionally, current rules establish numeric population goals for each of the four bear management zones. These rules may move away from numeric goals and instead base annual quota decisions on a variety of factors and trends.

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.

Additionally, s. 29.184 grants the Department the ability to “regulate and limit the number of bear hunters and bear harvested in any area of the state.”

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

40 hours.

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

Bear hunters and farmers that experience agricultural damage from bears are the primary groups who 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):

These rules, and the legislation which grants the department rulemaking authority, will have no effect on the private sector or small businesses. These rules are applicable to individual sportspersons and impose no compliance or reporting requirements for small businesses.

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

The department anticipates holding one public hearing in Madison in October 2019.

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