

STATEMENT OF SCOPE

Department of Natural Resources

Rule No.: WM-11-20

Relating to: Revising white-tailed deer 3-year deer management unit boundaries. (ch NR 10).

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:

The Bureau of Wildlife Management recommends promulgating administrative rules that modify sections of chapter NR 10. These rule changes will revise deer management unit boundaries.

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

Under s. NR 10.104(3), Admin. Code, the department is required to review Deer Management Unit (DMU) boundaries at three-year intervals. This department will conduct that review in 2020 which may result in a recommendation to revise management unit boundaries.

This rule may make additional updates such as correcting cross-reference citations, updating road names on maps, or revisions which are necessary for consistency with recently enacted legislation.

The department may also include other, minor, non-controversial rule updates or proposals, including ones which have passed at the annual Spring Fish & Wildlife Hearings as advisory questions by the Conservation Congress.

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, Stats., “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. This grant of rule-making authority allows the department to promulgate rules related to deer hunting and hunting and trapping for other species.

Sections 23.11 and 29.014, Stats., allow the department to protect and supervise natural resources on state lands in all DMUs, as well as establish general department powers and the authority to establish hunting and trapping regulations on department-managed lands.

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

Approximately 1500 hours will be needed by the department. This will encompass coordinating and administering meetings in each county during which DMU boundary will be developed, creating and revising maps of the final DMU boundaries, preparing rule documentation for public hearings and developing the rule.

6. Description of all entities that may be impacted by the rule:

Because deer and deer management impact Wisconsin in a variety of ecological, economic, social and recreational ways, they also impact multiple stakeholder groups. This rule will affect conservation organizations, the Great Lakes Indian Fish and Wildlife Commission, the Wisconsin Conservation Congress, deer hunters, agricultural producers, private landowners, foresters and timber producers, local governments and municipalities, transportation commissions, tourism and retail industries, and recreational wildlife viewers.

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

Federal regulations allow states to manage the wildlife 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 Code of Federal Regulations.

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

No significant economic impacts are anticipated. The outcomes of this rule will be comparable to those of the DMU boundary and deer population objective reviews conducted in 2017 and put into effect in 2018, which also involved County Deer Advisory Council input. The rule imposes no compliance or reporting requirements for small business, nor are any design or operational standards contained in the rule.

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