

## 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 3/16/20
3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable) NR 10, Game and Hunting	
4. Subject 2020 Migratory Bird Hunting Seasons	
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
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 costs 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. In the past, the department has not elected to do so. However, the department addressed the potential season structure this year during the public input process and a majority of the public favored adding the second split in the South Zone Canada goose season. This second split would close the Canada goose season for 15 days at the same time the South Zone duck season closes (December 6), then reopen the goose season in the south zone on December 22 through January 5. The public input indicated a desire from hunters 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. From a harvest perspective, 90% of all Canada goose harvest occurs before December 1, so the department is not averse to adjusting season dates in the month of December as very few hunters participate during this time, and it will have a very minimal impact on overall harvest.

The proposed earlier start date for the North Zone duck season was based on input collected from conservation organizations as well as the public. The department had seen a change occurring in both the input collected from hunters via the waterfowl hunters survey as well as the input collected through public contact including 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 be 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 at the end of 2019, both of which resulted in weeks of lost hunting opportunity. Input from conservation groups, waterfowl hunter survey, and public input has shifted back to a desire to start on the Saturday nearest September 24th which is the season structure that had applied in the North had had for 20 years prior to 2018 and 2019.

The proposed duck season framework in the Mississippi River Zone will exactly mirror exactly the season structure of the duck season in the South Zone. Over the past three years (2017-2019), the Mississippi River Zone duck season has

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started on the same day as the South Zone duck season but had a 7-day split rather than a 5-day split. This resulted in one less weekend of duck hunting in October, but an additional Tuesday and Wednesday in December. Data from the waterfowl hunter survey, public input, and feedback from nearly every conservation group indicates support for the Mississippi River Zone proposed a duck season structure of starting on the Saturday nearest October 1 with a 5-day split to mirror the South Zone duck season structure.

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 three daily during the 2019 season.

Under the federal framework for duck hunting, the USFWS is allowing Wisconsin no more than two hen mallard per day in the bag limit. Wisconsin has traditionally been conservative on its hen mallard bag limit due to research that indicated 70% of the mallards harvested in Wisconsin come from Wisconsin. An analysis done by department research scientist Dr. Drew Fowler in collaboration with the University of MN assessing 70 years' worth of Mallard banding data, determined that at a one or two hen mallard bag limit, hunting and harvest do not affect the survival of hen mallards or Wisconsin's overall mallard population. The department also compared its data to Minnesota's data due to Minnesota's decision in 2011 to increase their hen mallard bag limit to two per day; this comparison also indicated that there is little risk to the Wisconsin's hen mallard survival or the mallard population if the the hen mallard bag limit is increased to two per day. All other states in the Mississippi Flyway are currently at a daily bag limit of two hen mallards per day, and the department feels there is little concern that an increase in the hen mallard daily bag limit from one to two will negatively impact the local mallard population.

Under the federal framework for duck hunting, the USFWS is allowing Wisconsin a 70-day consecutive rail, snipe, and common gallinule (moorhen) season. In the past, the department has structured these seasons so that they ran concurrently with the duck seasons in each zone, however per federal direction we are not allowed to include a split in the rail, snipe, and common gallinule seasons which has been department policy in the past. With this new direction, 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. The department is pursuing this change to provide greater opportunity to hunt these bird species at the time they are present in the state, and before they have migrated out of the state, which typically occurs before the regular duck season.

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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.

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.

None at this time. Local Government units are not anticipated to be impacted by this rule.

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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

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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. 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.

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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 state.

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<h4>19. Contact Name</h4> <p>Taylor Finger</p>	<h4>20. Contact Phone Number</h4>
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**ADMINISTRATIVE RULES**  
**Fiscal Estimate & Economic Impact Analysis**

**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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