

Form 1100-1
(R 2/01)

NATURAL RESOURCES BOARD AGENDA ITEM

Item No.

SUBJECT:

Request from the Joint Legislative Committee for Review of Administrative Rules for modifications to Order WM-40-00, Wis. Adm. Code, pertaining to Deer 2000 Administrative Rule Recommendations (adopted by NRB 1/24/01)(Item 3.E Minutes of 1/24/01)(Modification of Order WM-40-00, 5/23/01)(Item 7.C Minutes of 5/23/01)(Modifications of NR 10 deer season framework 10/24/01)(Item 7.B Minutes of 10/24/01)(Resolution by NRB December 5, 2001)(Item 4.1 Minutes of 12/5/01).

FOR: MARCH 2002 BOARD MEETING

TO BE PRESENTED BY: Bill Vander Zouwen

Please send to:
David Austin
Senator Judy Robson's Office
Wisconsin Senate
P.O. Box 7882
Madison, WI 53707-7882
Thanks
Tim A.

SUMMARY:

The Legislative Joint Committee on the Review of A 2000 rule order (WM-40-00) objected to by the Asse

1) December 4-day Antlerless Deer Gun Season in h
The JCRAR has requested that the department consid
December. The alternative requested by JCRAR is a
criteria in NR 10.01(3)(ez). The December Zone T h
requiring special hunts over the past two seasons. Th
units requiring special and often unpopular herd cont

2) 4-day Extension at the End of the Early Deer Arch
The JCRAR has concurred with an earlier objection t
bow season only in Zone T units on the Monday - Th
consider a modification to this rule, which would actually make this rule more consistent with the original Deer 2000 recommendation. The department recommends that the Board adopt a revision to the rule so that the extension would be statewide and worded such that the early bow season would close at the end of hunting hours two days prior to the opening of the deer gun season regardless of when that season would begin. Thus there would be a one day break between the end of the early bow season and the beginning of the deer gun season.

RECOMMENDATION: Board adoption of the WM-40-00 ammendments including a 4-day December antlerless gun hunt in Zone T units and a statewide 4-day early archery extension.

LIST OF ATTACHED MATERIALS:

- | | | | | | |
|----|-------------------------------------|---|-----|-------------------------------------|----------|
| No | <input type="checkbox"/> | Fiscal Estimate Required | Yes | <input checked="" type="checkbox"/> | Attached |
| No | <input checked="" type="checkbox"/> | Environmental Assessment or Impact Statement Required | Yes | <input type="checkbox"/> | Attached |
| No | <input type="checkbox"/> | Background Memo | Yes | <input checked="" type="checkbox"/> | Attached |

APPROVED:

Thomas M. Hauge
Bureau Director, Thomas M. Hauge

2/28/02
Date

Steven W. Miller
Administrator, Steven W. Miller

3/4/02
Date

Darrell Bazzell
Secretary, Darrell Bazzell

3/7/02
Date

- | | | |
|----------------------|--|---|
| • Linda Jahns - AD/5 | Steve Miller - AD/5 | Marilyn Davis / Ruth A. Raftery - CS/G3 |
| Regional Directors | Conservation Congress Exec. Council - 24 | Regional Wildlife Biologists |
| GLIFWC & Tribes | Tom Harison / Tom Van Haren - LE/5 | LE Supervisors |
| Signe Holtz - ER/4 | Tom Hauge / Kurt Thiede - WM/4 - 6 | Al Phelan - LS/5 |
| Darrell Bazzell | Tim Andryk / Carol Turner - LS/5 | Sue Black / Mark Brandt - PR/1 |

CORRESPONDENCE/MEMORANDUM

DATE: February 26, 2002

FILE REF: 1020

TO: Natural Resources Board Members

FROM: Darrell Bazzell *DB*

SUBJECT: Department Deer 2000 Rule Order (WM-40-00) modifications requested on behalf of the Joint Legislative Committee on the Review of Administrative Rules (JCRAR).

Proposal

The department recommends the establishment of a 4-day antlerless only gun hunt in December in deer management units that are not expected to get to within 20% of overwinter population goals with a regular deer season framework. Secondly, the department is recommending a 4-day extension to the early archery season that would conclude two days prior to the start of the regular gun season.

These modifications have been requested by the JCRAR after reviewing public testimony and the objections presented by the Assembly Natural Resources Committee pertaining to WM-40-00.

Background

The Assembly Natural Resources Committee originally objected to 4 parts of the original Deer 2000 rule order 1) The timing of the 4-day October herd control season (Zone T); 2) The recommendation that all deer be harvested in the deer management unit in which they were harvested or an adjoining unit; 3) The 3-year statewide 4-day antlerless deer gun season in early December; 4) The 4-day extension of the early archery season only in Zone T units. In an executive session the JCRAR upheld the first two objections and is currently drafting separate legislation, and asked the department and the board to modify the last two objections (See Attachments). As a result the department is proposing the two modifications presented in the above proposal.

The December Zone T hunt has been beneficial in helping to reduce the number of deer management units requiring special hunts over the past two seasons. This added measure of control would help to continue to reduce the number of units requiring special and often unpopular herd control seasons. It is expected that if this hunt is only required in those units meeting the criteria in NR 10.01(3)(ez), it will be less controversial to the winter sports lobby that was most vocal in opposition to a permanent of semi-permanent December antlerless gun season.

The modification to the extra days of bow hunting during the early archery season would make this rule more consistent with the original Deer 2000 recommendation. The department recommends that the Board accept a revision to the rule so that the extension would be statewide and worded such that the early bow season would continue through the close of hunting hours two days prior to the opening of the deer gun season regardless of when that season would begin. Thus there would be a one-day break between the end of the early bow season and the beginning of the deer gun season. This modification and wording would leave open the possibility for moving the beginning of the regular deer gun season if significant support is expressed during the 2002 Spring Hearings or in the future.



Final Regulatory Analysis

Par. NR 10.01(3)(ez), Wis. Adm. Code relate to modifications to the 2002 deer season framework. The 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 rules. Therefore, under s.227.19(3m), Stats., a final regulatory flexibility analysis is not required.

Environmental Analysis

The Bureau of Integrated Science Services has determined that these rule revisions are a Type III action under Chapter 150, Wisconsin Administrative Code and no environmental analysis is required.

SENATOR JUDITH B. ROBSON
CO-CHAIR
PO BOX 7882
MADISON, WI 53707-7882
(608) 266-2253



REPRESENTATIVE GLENN GROTHMAN
CO-CHAIR
PO Box 8952
MADISON, WI 53708-8952
(608) 264-8486

JOINT COMMITTEE FOR REVIEW OF ADMINISTRATIVE RULES

BY HAND DELIVERY

January 11, 2002

Secretary Darrell Bazzell
Department of Natural Resources
101 South Webster Street
Madison, Wisconsin Legislature

Re: Clearinghouse Rule 00-154 (Deer 2000)

Dear Secretary Bazzell:

We are writing to inform you that the Joint Committee for the Review of Administrative Rules held a public hearing and executive session on January 10, 2002.

Much of the testimony related to Clearinghouse Rule 00-154, the rule drafted by the department to implement the recommendations of the Deer 2000 process.

Four portions of this proposed rule were objected to by the Assembly Committee on Natural Resources when the rule was reviewed by that committee. The JCRAR took executive action on those four objections at its January 10, 2002 hearing.

Regarding the first objection of the Assembly Committee on Natural Resources, concerning whether there should be a four-day statewide antlerless only hunt in December, JCRAR voted to request that the department modify this portion of the rule. The committee did not want to object to this part of the rule outright because the committee wanted to preserve the ability of the department to have a December T-Zone hunt, but the committee was strongly opposed to the creation of a permanent, statewide hunt in December.

If the department agrees to consider modifications, those changes can be submitted to JCRAR at any time. If the department does not agree to consider modifications, the committee objects to this portion of the rule.

Regarding the second objection of the Assembly Committee on Natural Resources, concerning the date of the October T-Zone hunt, JCRAR agreed with the objection of the standing

committee. Therefore, this portion of the rule is objected to and the committee will introduce legislation on this topic in the near future.

Regarding the third objection of the Assembly Committee on Natural Resources, concerning the four-day extension of the archery season, JCRAR voted to request modifications to the rule. Specifically, the committee requests that the department apply this hunt on a permanent, statewide basis.

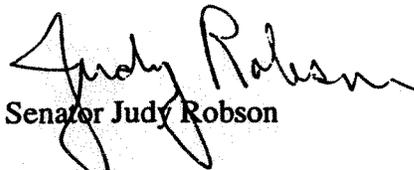
If the department agrees to consider modifications, those changes can be submitted to JCRAR at any time. If the department does not agree to consider modifications, the committee objects to this portion of the rule.

Regarding the fourth objection of the Assembly Committee on Natural Resources, concerning where deer must be registered, JCRAR agreed with the objection of the standing committee. Therefore, this portion of the rule is objected to and the committee will introduce legislation on this topic in the near future.

Because JCRAR's jurisdiction over the rule will expire on January 12, the committee will need to know by 5:00 p.m. on Friday, January 11, 2002 whether the department is willing to consider modifications to the rule. Again, if the department does not agree to consider making the modifications described above, then the provisions of Clearinghouse Rule 00-154, relating to the antlerless only deer hunt in December and the four-day extension of the archery season, will be objected to.

Thank you for your hard work on behalf of Wisconsin's natural resources and those who enjoy the outdoors. We look forward to hearing from you regarding the modifications requested by the committee.

Sincerely,



Senator Judy Robson

JR:GG:da



Representative Glenn Grothman

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

The Wisconsin Natural Resources Board proposes an order to amend 10.01(3)(em)1. and 10.01(3)(ez)1.c., d. and e., and to create 10.01(3)(ez)1.am. relating to deer hunting.

Amendment to WM-40-00

Analysis Prepared by Department of Natural Resources

Statutory Authority: ss. 29.014, 29.889 and 227.11 Stats.
Statutory interpreted: ss. 29.177, 29.181, 29.361 and 29.889, Stats.

Section 1. Extends the early bow season by four days.

Section 2. Creates a December 4-day antlerless gun deer season in units requiring additional antlerless deer hunting opportunities to control the deer population in certain units.

Section 3. Modifies citations relating to the creation of a December 4-day antlerless gun deer season in units requiring additional antlerless deer hunting opportunities to control the deer population in certain units.

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

Kind of animal and locality	Open season (all dates inclusive)	Limit
<i>(em) Deer bow season</i>		
1. Statewide except as established under s. NR 10.01(3)(em)2. and 3.	Beginning on the Saturday nearest September 15 and continuing through the Sunday <u>2nd day</u> immediately prior to the opening of the deer gun season which includes the Thanksgiving holiday. <u>described in s. NR 10.01(3)(e).</u>	One deer of either sex and one antlerless deer per hunter's choice and per bonus permit issued under s. NR 10.104.
	Reopening on the Monday <u>Monday</u> following the Thanksgiving holiday <u>day immediately after the deer gun season described in s. NR 10.01(3)(e) and</u> continuing through January 3.	One deer of either sex and one antlerless deer per hunter's choice and per bonus permit issued under s. NR 10.104.

Section 2. NR 10.01 (3)(ez) 1.am. is created to read:

NR 10.01(3)(ez)1.am. A 4-day antlerless only deer season allowing the use of bows and guns in December. Allowable types of guns are those authorized on the last day of the gun deer season under s. NR 10.01(3)(e). Antlerless deer may be tagged with the carcass tag issued with each deer license, a special permit under this subd. 1.b., or bonus permits issued under s. 29.181, Stats. This subdivision paragraph does not apply to state parks and state park deer management units.

Section 3. NR 10.01 (3)(ez) 1.c.,d. and e. as amended by clearinghouse rule order 02-017 is amended to read:

NR 10.01(3)(ez) 1. c. The carcass tag issued with a regular gun deer license is valid for taking and tagging a deer of either sex during the ~~regular 9 day~~ gun season under s. NR 10.01(3)(e). The carcass tag issued with the bow deer license is valid for only an antlerless deer during the seasons described in this subd. 1.a., am. or .d.

d. If after 2 consecutive seasons, as described in this subd. 1.a. and am., the department determines a third season, as described under this subd. 1.a. and am., 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 harvest 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 each archery and gun deer license. Deer harvested as described in this paragraph shall be transported in accordance with s. NR 10.105 (3).

e. If after a season as described in this subd. 1.d., the department determines a season as described in this subd. 1.a. and am., 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 this subd. 1.d.

The foregoing rule was approved and adopted by the State of Wisconsin Natural Resources Board on _____.

The foregoing rules shall take effect on the first day of the month following publication as provided in s. 227.22, Stats.

Dated at Madison, Wisconsin _____.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By _____
Darrell Bazzell, Secretary

(SEAL)



Association of Wisconsin Snowmobile Clubs, Inc.

217 E. PACIFIC STREET • APPLETON, WI 54911
PHONE: (920) 734-5530 • FAX: (920) 734-5528
WEB: www.awsc.org • E-MAIL: awsc@awsc.org

MEMORANDUM

DATE: April 10, 2002

TO: Members, Joint Committee for Review of Administrative Rules

FROM: The Association of Wisconsin Snowmobile Clubs, Inc.:
Donna White, President
Scott Makowski, Vice President
Morris Nelson, Chair, AWSC Legislative Committee
Orv Langohr, Past-President

RE: PROPOSAL TO MODIFY GUN DEER HUNTING RULES IN DECEMBER

The Natural Resources Board has forwarded to you a proposed modification of Wisconsin's deer hunting rules, involving the creation of a December 4-day gun deer season. We are writing on behalf of the 33,000 family members of the Association of Wisconsin Snowmobile Clubs, Inc. (AWSC) to strongly object to the Wisconsin Department of Natural Resources continuing its efforts to have gun deer seasons in the month of December. Wisconsin's Legislative oversight committees have consistently spoken to the Department in strong terms about gun deer seasons in December being *incompatible* with other recreational opportunities, particularly snowmobiling.

The elective leadership of the AWSC has consistently and forcefully advised staff members of the Department that it is unwise public policy to conduct a deer gun hunting season in December. On March 18, 2002, the leadership of the AWSC wrote to Secretary Bazzell and said, "Once again, [we] unequivocally state our opposition to deer gun hunting during December. . . . Your staff has, time in and time out, ignored the Wisconsin snowmobiler on this issue" (copy enclosed).

On Monday night, Wisconsin's hunters and anglers gathered at the Annual Wisconsin Conservation Congress Meetings. The concept of "T-zones" was overwhelmingly rejected by the attendees at the Conservation Congress meetings. At least 6,300 voters opposed the October deer hunting season, while only 1,400 favored such a special deer hunting season. Not surprisingly, Department staff chose not to ask the Conservation Congress members about December. There's no question that, if that issue had been on the ballot, attendees would have also overwhelmingly rejected a December T-zone gun hunting season. A copy of the summary of votes by question is attached, for your convenience.

It is time to end this policy war. It is time for the Department to tell the citizens of Wisconsin that the agency has gotten the message. Gun deer hunting in December is neither popular nor ecologically necessary. Symbolic political fights should come to an end and we should focus on far more important policy questions associated with deer hunting and/or the expansion of snowmobiling in the State of Wisconsin.

Thank you very much for your consideration of our message.

United We Trail — Divided We Fail



Association of Wisconsin Snowmobile Clubs, Inc.

217 E. PACIFIC STREET • APPLETON, WI 54911
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WEB: www.awsc.org • E-MAIL: awsc@awsc.org

COPY

March 18, 2002

Darrell L. Bazzell, Secretary
Wisconsin Department of Natural Resources
101 S. Webster Street, Fifth Floor
Madison, WI 53707

Dear Secretary Bazzell:

The elected leadership of the Association of Wisconsin Snowmobile Clubs, Inc. (AWSC) has consistently and forcefully advised staff members of the Department of Natural Resources that it is unwise public policy to conduct a deer gun hunting season in December. Legislative oversight committees have overwhelmingly supported this position.

Despite its history of opposition to the unwise concept of deer gun hunting in December, there are Department staff who continue to advocate such a season. As we complete our 2002 AWSC Annual Convention, we wanted to, once again, unequivocally state our opposition to deer gun hunting during December. Despite your personal assurances, your staff has, time in and time out, ignored the Wisconsin snowmobiler on this issue. We stand prepared to be available to meet with your agency at any time.

Thank you very much for your consideration of this letter. AWSC President Orv Langohr intends to deliver this letter to you personally on March 18, 2002.

THE ASSOCIATION OF WISCONSIN SNOWMOBILE CLUBS, INC.

By the following:

United We Trail — Divided We Fail

ADAMS COUNTY

Tim Demerath
Director

County Representative

ASHLAND COUNTY

Director

Paul Bremer
County Representative

BARRON COUNTY

Pete Schuster
Director

County Representative

BAYFIELD COUNTY

Paul Fechner
Director

County Representative

BROWN COUNTY

Alan Schampers
Director

County Representative

BUFFALO COUNTY

Linda Hesch
Director

County Representative

BURNETT COUNTY

Carl E. Andersen
Director

County Representative

CALUMET COUNTY

Director

County Representative

CHIPPEWA COUNTY

Don Johnson
Director

County Representative

CLARK COUNTY

Dave Deanna
Director

County Representative

COLUMBIA COUNTY

Steve Sch
Director

County Representative

CRAWFORD COUNTY

Keith Sch
Director

County Representative

DANE COUNTY

Samuel J. Sanders

Director

County Representative

DODGE COUNTY

Martin J. Keller

Director

Larry K. Naiting

County Representative

DOOR COUNTY

John Chalch
Director

County Representative

DOUGLAS COUNTY

Bruce Beugler
Director

John M. Detulung
County Representative

DUNN COUNTY

Joseph Hutter
Director

Marge Hutter
County Representative

EAU CLAIRE COUNTY

James Krasnully
Director

County Representative

FLORENCE COUNTY

Bob Johnson
Director

County Representative

FOND DU LAC COUNTY

Ray Lippel
Director

County Representative

FOREST COUNTY

James P. Huggs
Director

Van Humpfl
County Representative

GRANT COUNTY

Clyde Bunde
Director

County Representative

GREEN COUNTY

Director

County Representative

GREEN LAKE COUNTY

Darlene Krentz (Darlene Krentz)
Director

County Representative

IOWA COUNTY

Director

County Representative

IRON COUNTY

Samy Cook
Director

County Representative

JACKSON COUNTY

Jerry O. Green
Director

County Representative

JEFFERSON COUNTY

Tom Chwala
Director

Jeff Dawson
County Representative

OCONTO COUNTY

Raymond Vughera

Director
[Signature]

County Representative

PORTAGE COUNTY

Brian Dwan

Director
John Sommerfeldt

County Representative

ONEIDA COUNTY

[Signature]

Director

County Representative

PRICE COUNTY

Timothy A. Worman

Director

County Representative

OUTAGAMIE COUNTY

Marvin Haberland

Director

County Representative

RACINE COUNTY

Rensie Baldt

Director

County Representative

OZAUKEE COUNTY

Walter E. Hill

Director

County Representative

RICHLAND COUNTY

Director

County Representative

PEPIN COUNTY

Nolan Arche

Director

County Representative

ROCK COUNTY

Marvin E. Nelson

Director

County Representative

PIERCE COUNTY

Jerry Van Heuchelom

Director

County Representative

RUSK COUNTY

Howard P. Henderson

Director

County Representative

POLK COUNTY

Dwight Johnson

Director

County Representative

ST. CROIX COUNTY

K. W. [Signature]

Director

County Representative

SAUK COUNTY

Director

County Representative

VILAS COUNTY

Director

County Representative

SAWYER COUNTY

Director

County Representative

WALWORTH COUNTY

Director

County Representative

SHAWANO COUNTY

Director

County Representative

WASHBURN COUNTY

Director

County Representative

SHEBOYGAN COUNTY

Director

County Representative

WASHINGTON COUNTY

Director

County Representative

TAYLOR COUNTY

Director

County Representative

WAUKESHA COUNTY

Director

County Representative

TREMPEALEAU COUNTY

Director

County Representative

WAUPACA COUNTY

Director

County Representative

VERNON COUNTY

Director

County Representative

WAUSHARA COUNTY

Director

County Representative

JUNEAU COUNTY

Director

County Representative

KENOSHA COUNTY

Director

County Representative

KEWAUNEE COUNTY

Director

County Representative

LA CROSSE COUNTY

Director

County Representative

LAFAYETTE COUNTY

Director

County Representative

LANGLADE COUNTY

Director

County Representative

LINCOLN COUNTY

Director

County Representative

MANITOWOC COUNTY

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County Representative

MARATHON COUNTY

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County Representative

MARINETTE COUNTY

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County Representative

MARQUETTE COUNTY

Director

County Representative

MENOMINEE COUNTY

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County Representative

MILWAUKEE COUNTY

Director

County Representative

MONROE COUNTY

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County Representative

WINNEBAGO COUNTY

Steven Brewer
Director

County Representative

WOOD COUNTY

Thomas Bey
Director

County Representative

Bill Poff DIRECTOR AT LARGE
Dennis Brennan Director at Large
Paul Staf Director at Large
Steve Smith - Dane County Rep
Ralph W. Palmer Director at Large

Chippewa County
Don J. ... Director

BURNETT COUNTY
C. F. Endresen Director

BROWN COUNTY
Alan Schampson Director

Crawford County Director
Keith Andahl

BUFFALO COUNTY
Glen Hersh Director
Merrill Heller Dodge Cty Director
Larry K. Neely DODGE CTY REP.

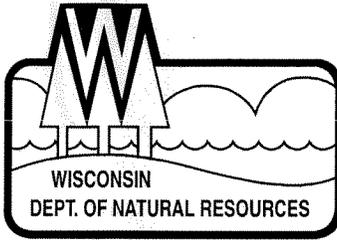
Paul Baesser
Barron County Rep.

SPRING RULES HEARING - CONSERVATION CONGRESS MEETING
SUMMARY OF CONSERVATION VOTES BY QUESTION ONLY

14:02 Tuesday, April 9, 2002 1

S94213

QUEST NO	QUESTION DESCRIPTION	YES VOTES	NO VOTES	MAJOR CITY-APPROVING	COUNTIES APPROVING	COUNTIES REJECTING	COUNTIES TIE VOTE	COUNTIES NOT VOTING
00	ATTENDANCE 2002	11,097	0	YES	72	0	0	0
01	BEAR MANAGEMENT ZONE "C"	7,160	1,314	YES	68	2	1	1
02	DEER ARCHERY SEASON REGISTRATION	8,143	958	YES	71	1	0	0
03	HEN PHEASANTS AT BLACKHAWK LAKE	3,254	547	YES	27	0	0	45
04	FALL TURKEY HUNTING AT MILL BLUF	6,065	439	YES	30	0	0	42
05	16 DAY GUN DEER SEASON	4,452	5,634		23	48	1	0
06	DEER ADD 7 DAYS TO THE END	2,509	6,927		2	69	1	0
07	DEER SEASON FROM NOVEMBER 15-30	2,238	7,279		5	67	0	0
08	DEER ADD 7 DAYS TO THE BEGINNING	1,941	7,665		4	67	1	0
09	DEER HERD CONTROL ON PRIVATE LAN	2,908	6,566		11	61	0	0
10	ORANGE REQUIREMENTS FOR BOW HUNT	3,843	5,455		25	46	1	0
11	BEAR PREFERENCE POINT TRANSFER	5,312	3,114		61	11	0	0
12	ESTABLISH OF AN ELK HUNTING SEAS	7,558	1,600	YES	70	2	0	0
13	TROUT FISHING REGULATIONS	4,662	1,611	YES	61	9	2	0
14	BAG LIMIT FOR CISCO AND WHITEPIS	3,329	757	YES	50	3	0	19
15	MUSKELJUNGE TO 50" ON GREEN BAY	3,842	1,236	YES	47	5	0	20
16	YELLOW PERCH ON LAKE MICHIGAN	4,770	608	YES	54	1	0	17
17	SALMON ON LAKE SUPERIOR	3,422	1,110	YES	48	5	0	19
18	BROOK TROUT ON LAKE SUPERIOR	3,719	1,141	YES	56	3	0	13
19	UNATTENDED LINE DURING OPEN WATE	7,310	756	YES	71	0	0	1
20	BASS ON THE LOWER WISCONSIN RIVE	2,762	2,086	YES	34	20	0	18
21	LAKE WINNEBAGO STURGEON SPEARING	4,963	769	YES	57	4	0	11
22	BROOK TROUT ON WHITTLESEY CREEK	2,367	546	YES	36	2	0	34
23	GAMEFISH ON BIG GREEN LAKE	2,273	546	YES	22	2	0	48
24	BASS ON VERN WOLF LAKE	1,632	648	YES	17	2	0	51
25	PANFISH ON VERN WOLF LAKE	1,530	670	YES	17	1	0	54
26	BASS ON GREATER BASS LAKE	1,745	733	YES	18	4	0	50
27	50" FOR MUSKELJUNGE ON CLEAR LAK	2,527	944	YES	36	3	0	33
28	WALLEYE ON BASS (WEYERHAUSER) LK	1,416	1,070	YES	18	6	0	48
29	WALLEYE SAWYER COUNTY	1,440	1,309	YES	18	8	1	45
30	40" MUSKELJUNGE ON MOOSE LAKE	2,562	681	YES	35	2	0	35
31	45" MUSKELJUNGE ON CHIPPEWA FLOW	2,855	882	YES	40	5	1	26
32	PANFISH ON SISSABAWA LAKE	1,760	854	YES	23	5	0	44
33	WALLEYE ON ESCANABA LAKE	1,742	1,519	YES	19	12	2	39
34	BASS ON LULU LAKE	1,705	551	YES	15	3	0	54
35	BASS ON EAGLE SPRING LAKE	1,849	506	YES	18	1	1	52
36	TAGGING OF FISH BY THE PUBLIC	6,006	915	YES	71	1	0	0
37	SPEARING TAG LOTTERY	2,597	2,585	YES	32	27	0	13
38	NON-SPEARING ZONES ON LAKE MINN	1,425	3,260	YES	11	47	0	14
39	EVERY OTHER YEAR SEASON	1,446	3,302	YES	7	51	1	13
40	COMMERCIAL HARVEST OF MINNOWS	5,176	1,520	YES	64	7	0	1
41	CARRY A CONCEALED WEAPON	7,114	1,044	YES	72	0	0	0
42	OCTOBER T ZONE DEER HUNTING	6,292	1,405	YES	69	3	0	0
43	DEER IN STATE PARKS	6,320	597	YES	71	1	0	0
44	UNITS 74A AND 74B	3,195	488	YES	37	4	0	31
45	WOLF MANAGED AS FUR BEARING FRED	6,421	937	YES	72	0	0	0
46	ENERGY POLICY FOR STATE	4,788	827	YES	65	6	0	1
47	BAN THE USE OF CYANIDE COMPOUNDS	6,224	541	YES	70	2	0	0
48	ASPEN IN THE STATE OF WISCONSIN	5,049	1,084	YES	64	6	0	2
49	LIBERALIZING OTTER/TRAPPING REGS	3,882	1,456	YES	57	11	0	4
50	COASTER BROOK TROUT	3,866	297	YES	60	2	0	10
51	INTENTIONAL SINKING OF SHIPS	4,659	833	YES	64	4	0	4



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Scott McCallum, Governor
Darrell Bazzell, Secretary

101 S. Webster St.
Box 7921
Madison, Wisconsin 53707-7921
Telephone 608-266-2621
FAX 608-267-3579
TTY 608-267-6897

March 27, 2002

Senator Judith Robson, Co-chairperson
Joint Committee on Review of Administrative Rules
Room 15 South
State Capitol
Madison, WI 53702

Representative Glenn Grothman, Co-chairperson
Joint Committee on Review of Administrative Rules
Room 15 North
State Capitol
Madison, WI 53702

Dear Sen. *Judy* Robson and Rep. *Glenn* Grothman,

The Department respectfully requests that the Joint Committee on Review of Administrative Rules (JCRAR) reconsider their objection to the registration of deer in the unit of harvest or adjacent unit which was submitted as part of the Deer 2000 Clearing House Rule 00-154 (Attachment).

The reasons for our request are based on the discovery of Chronic Wasting Disease (CWD) in our wild deer herd that was identified during routine disease surveillance in November 2001, in the Mt. Horeb area. First, we need the authority to help prevent the transport of possibly infected deer carcasses throughout the state and secondly we need to be able to assure the accuracy of our disease testing and sampling efforts.

From a containment standpoint it is necessary for biologists to be able to control the traffic of deer within the disease surveillance area and in other deer management units until the full extent of this disease can be identified. To do this we need to be able to have the authority to limit where hunters can transport and register their deer once they have been harvested. In terms of identification and prevention, it is important that deer be registered close to the area in which they were harvested to be able to accurately determine the location of CWD positive deer should they be identified. The Department will recommend that hunters statewide register their deer in the deer management unit where the deer was harvested or in the adjacent unit. It is also likely that these requirements will be even more strict within the disease surveillance area in order to process, collect samples, and limit transportation of carcasses.

This recommendation however would be in direct contradiction to the bill drafted by the JCRAR which would prevent the Department from promulgating a rule requiring in or adjacent unit registration. The authority to promulgate a rule regarding registration would be taken away from the Department. In light of current events I am respectfully requesting that the JCRAR reconsider their objection to the deer registration change (in or in the adjacent unit) because of the CWD outbreak.

We ask that you consider taking action in regard to this topic at your April meeting when you will also act on the other Deer 2000 items, which have been modified at the request of your Committee by the Department at the March 27, 2002 Natural Resources Board meeting.

Sincerely,

Darrell Bazzell
Secretary, WDNR

SENATOR JUDITH B. ROBSON
CO-CHAIR

PO Box 7882
MADISON, WI 53707-7882
(608) 266-2253



REPRESENTATIVE GLENN GROTHMAN
CO-CHAIR

PO Box 8952
MADISON, WI 53708-8952
(608) 264-8486

JOINT COMMITTEE FOR REVIEW OF ADMINISTRATIVE RULES

BY HAND DELIVERY

January 11, 2002

Secretary Darrell Bazzell
Department of Natural Resources
101 South Webster Street
Madison, Wisconsin Legislature

Re: Clearinghouse Rule 00-154 (Deer 2000)

Dear Secretary Bazzell:

We are writing to inform you that the Joint Committee for the Review of Administrative Rules held a public hearing and executive session on January 10, 2002.

Much of the testimony related to Clearinghouse Rule 00-154, the rule drafted by the department to implement the recommendations of the Deer 2000 process.

Four portions of this proposed rule were objected to by the Assembly Committee on Natural Resources when the rule was reviewed by that committee. The JCRAR took executive action on those four objections at its January 10, 2002 hearing.

Regarding the first objection of the Assembly Committee on Natural Resources, concerning whether there should be a four-day statewide antlerless only hunt in December, JCRAR voted to request that the department modify this portion of the rule. The committee did not want to object to this part of the rule outright because the committee wanted to preserve the ability of the department to have a December T-Zone hunt, but the committee was strongly opposed to the creation of a permanent, statewide hunt in December.

If the department agrees to consider modifications, those changes can be submitted to JCRAR at any time. If the department does not agree to consider modifications, the committee objects to this portion of the rule.

Regarding the second objection of the Assembly Committee on Natural Resources, concerning the date of the October T-Zone hunt, JCRAR agreed with the objection of the standing

committee. Therefore, this portion of the rule is objected to and the committee will introduce legislation on this topic in the near future.

Regarding the third objection of the Assembly Committee on Natural Resources, concerning the four-day extension of the archery season, JCRAR voted to request modifications to the rule. Specifically, the committee requests that the department apply this hunt on a permanent, statewide basis.

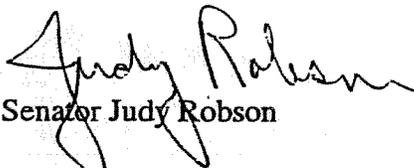
If the department agrees to consider modifications, those changes can be submitted to JCRAR at any time. If the department does not agree to consider modifications, the committee objects to this portion of the rule.

Regarding the fourth objection of the Assembly Committee on Natural Resources, concerning where deer must be registered, JCRAR agreed with the objection of the standing committee. Therefore, this portion of the rule is objected to and the committee will introduce legislation on this topic in the near future.

Because JCRAR's jurisdiction over the rule will expire on January 12, the committee will need to know by 5:00 p.m. on Friday, January 11, 2002 whether the department is willing to consider modifications to the rule. Again, if the department does not agree to consider making the modifications described above, then the provisions of Clearinghouse Rule 00-154, relating to the antlerless only deer hunt in December and the four-day extension of the archery season, will be objected to.

Thank you for your hard work on behalf of Wisconsin's natural resources and those who enjoy the outdoors. We look forward to hearing from you regarding the modifications requested by the committee.

Sincerely,



Senator Judy Robson

JR:GG:da


Representative Glenn Grothman



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Scott McCallum, Governor
Darrell Bazzell, Secretary

101 S. Webster St.
Box 7921
Madison, Wisconsin 53707-7921
Telephone 608-266-2621
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April 4, 2002

Honorable Judy Robson, Chair
Joint Committee for Review of Administrative Rules
Room 15 South
State Capitol

Honorable Glenn Grothman, Chair
Joint Committee for Review of Administrative Rules
Room 15 North
State Capitol

Re: Clearinghouse Rule No. 00-154

Dear Senator *Judy* Robson and Representative *Glenn* Grothman:

On January 11, 2002, the Joint Committee for Review of Administrative Rules requested the Department to consider two modifications to Clearinghouse Rule No. 00-154 regarding deer hunting.

The Joint Committee requested the Department to consider an alternative to the 3-year pilot statewide for a 4-day antlerless gun hunt in December. The Department is proposing a December 4-day antlerless gun deer season in units requiring additional antlerless deer hunting opportunities to control the deer population in certain units.

The Joint Committee also requested the Department to consider a modification to the extension of the early bow season. The Department is proposing that the early bow season would close at the end of hunting hours two days prior to the opening of the deer gun season regardless of when that season would begin. Thus, there would be a one-day break between the end of the early bow season the beginning of the deer gun season.

A copy of Natural Resources Board Order No. WM-40-00a is enclosed which shows the modifications adopted by the Natural Resources Board at their March 27, 2002 meeting.

Under s. 227.19(4)(b)2., Stats., the Department of Natural Resources refers this action to the Joint Committee for an additional 10 working day review.

Sincerely,

Darrell Bazzell
Secretary

cc: Kurt Thiede – WM/4
Tim Andryk – LS/5
Carol Turner – LS/5

Enc.

**ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD
AMENDING AND CREATING RULES**

The Wisconsin Natural Resources Board proposes an order to amend 10.01(3)(em)1. and 10.01(3)(ez)1.c., d. and e., and to create NR 10.01(3)(ez)1.am. relating to deer hunting.

WM-40-00a

Analysis Prepared by Department of Natural Resources

Statutory Authority: ss. 29.014, 29.889 and 227.11, Stats.

Statutory interpreted: ss. 29.177, 29.181, 29.361 and 29.889, Stats.

Section 1. Extends the early bow season by 4 days.

Section 2. Creates a December 4-day antlerless gun deer season in units requiring additional antlerless deer hunting opportunities to control the deer population in certain units.

Section 3. Modifies citations relating to the creation of a December 4-day antlerless gun deer season in units requiring additional antlerless deer hunting opportunities to control the deer population in certain units.

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

Kind of animal and locality	Open season (all dates inclusive)	Limit
<i>(em) Deer bow season</i>		
1. Statewide except as established under s. NR 10.01(3)(em)2. and 3.	Beginning on the Saturday nearest September 15 and continuing through the Sunday <u>2nd day immediately prior to the opening of the deer gun season which includes the Thanksgiving holiday, described in par. (e).</u>	One deer of either sex and one antlerless deer per hunter's choice and per bonus permit issued under s. NR 10.104.
	<u>Reopening on the Monday following the Thanksgiving holiday day immediately after the deer gun season described in par. (e) and continuing through January 3.</u>	One deer of either sex and one antlerless deer per hunter's choice and per bonus permit issued under s. NR 10.104.

Section 2. NR 10.01 (3)(ez) 1.am. is created to read:

NR 10.01(3)(ez)1.am. A 4-day antlerless only deer season allowing the use of bows and guns in December. Allowable types of guns are those authorized on the last day of the gun deer season under par. (e). Antlerless deer may be tagged with the carcass tag issued with each deer license, a special permit under this subd. 1.b., or bonus permits issued under s. 29.181, Stats. This subdivision paragraph does not apply to state parks and state park deer management units.

Section 3. NR 10.01 (3)(ez) 1.c.,d. and e. as amended by clearinghouse rule 02-017 is amended to read:

NR 10.01(3)(ez) 1. c. The carcass tag issued with a regular gun deer license is valid for taking and tagging a deer of either sex during the ~~regular 9 day~~ gun season under s. NR 10.01(3)(e). The carcass tag issued with the bow deer license is valid for only an antlerless deer during the seasons described in this subd. 1.a., am. or .d.

d. If after 2 consecutive seasons, as described in this subd. 1.a. and am., the department determines a third season, as described under this subd. 1.a. and am., 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 harvest 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 each archery and gun deer license. Deer harvested as described in this paragraph shall be transported in accordance with s. NR 10.105 (3).

e. If after a season as described in this subd. 1.d., the department determines a season as described in this subd. 1.a. and am., 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 this subd. 1.d.

The foregoing rule was approved and adopted by the State of Wisconsin Natural Resources Board on March 27, 2002.

The foregoing rules shall take effect on the first day of the month following publication as provided in s. 227.22, Stats.

Dated at Madison, Wisconsin _____

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By _____
Darrell Bazzell, Secretary

(SEAL)



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Scott McCallum, Governor
Darrell Bazzell, Secretary

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Madison, Wisconsin 53707-7921
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April 24, 2002

Senator Judy Robson
Room 15 South
State Capitol
Madison, WI 53707

Representative Glenn Grothman
Room 15 North
State Capitol
Madison, WI 53708

Dear Senator ^{Judy}Robson and Representative ^{Glenn}Grothman:

I am writing to inform you that the Natural Resources Board has agreed to the modifications suggested by the Joint Committee for the Review of Administrative Rules regarding CR 00-154. The Committee had asked for specific changes to the proposed December deer hunt.

I have attached a map that illustrates the deer management units statewide and their status relating to the December Zone T hunt.

Thank you for your work on this issue.

Sincerely,

Darrell Bazzell
Secretary

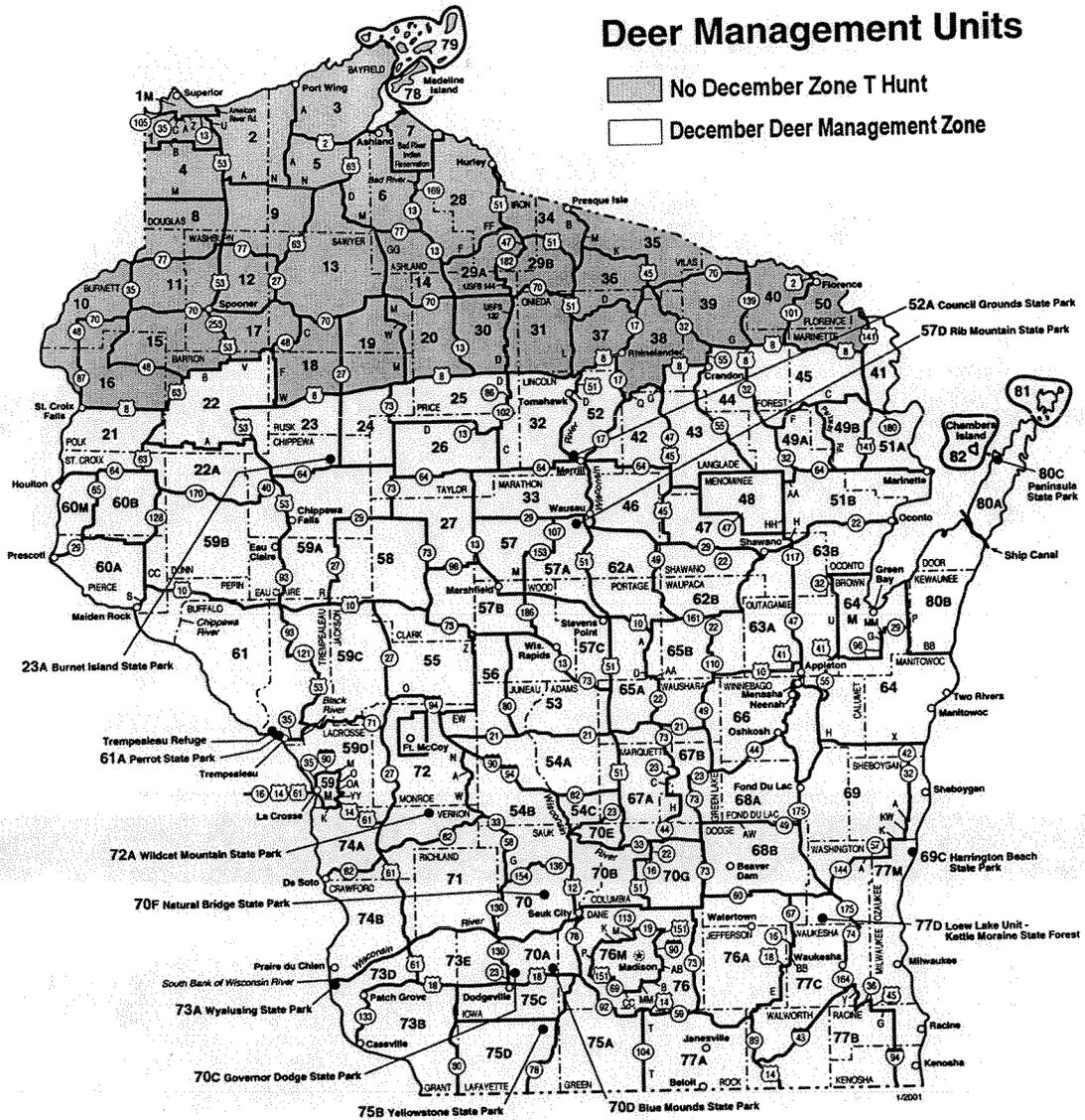
cc. Tom Hauge – WM/4
Tim Andryk – LS/5
Carol Turner – LS/5

Section 4. NR 10.28 (1) is repealed and recreated to read:

NR 10.28(1)

Deer Management Units

-  No December Zone T Hunt
-  December Deer Management Zone





State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Scott McCallum, Governor
Darrell Bazzell, Secretary

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April 18, 2002

Senator Judy Robson
Room 15 South
State Capitol
Madison, WI 53707

Representative Glenn Grothman
Room 15 North
State Capitol
Madison, WI 53708

Dear Senator *Judy* Robson and Representative *Glenn* Grothman:

I have received your April 12, 2002 letter informing me of the Joint Committee for the Review of Administrative Rules action on a number of issues relating to CR 00-154 and deer hunting.

First, thank you for rescinding your objection relating to deer registration requirements. In light of the current situation with Chronic Wasting Disease in the whitetail deer herd, the Department will need the ability to require bucks to be registered in the unit of kill or the adjacent unit of kill.

Second, the Department agrees to consider the modification requested by the Committee relating to the December 4-day hunt. It is my intention to take the Committee's request to the Natural Resources Board at the April 24th meeting.

Thank you for your hard work and attention to this issue.

Sincerely,

Darrell Bazzell
Secretary

cc. Tom Hauge – WM/4
Tim Andryk – LS/5
Carol Turner – LS/5



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JOINT COMMITTEE FOR REVIEW OF ADMINISTRATIVE RULES

Attendance Form

April 11, 2002

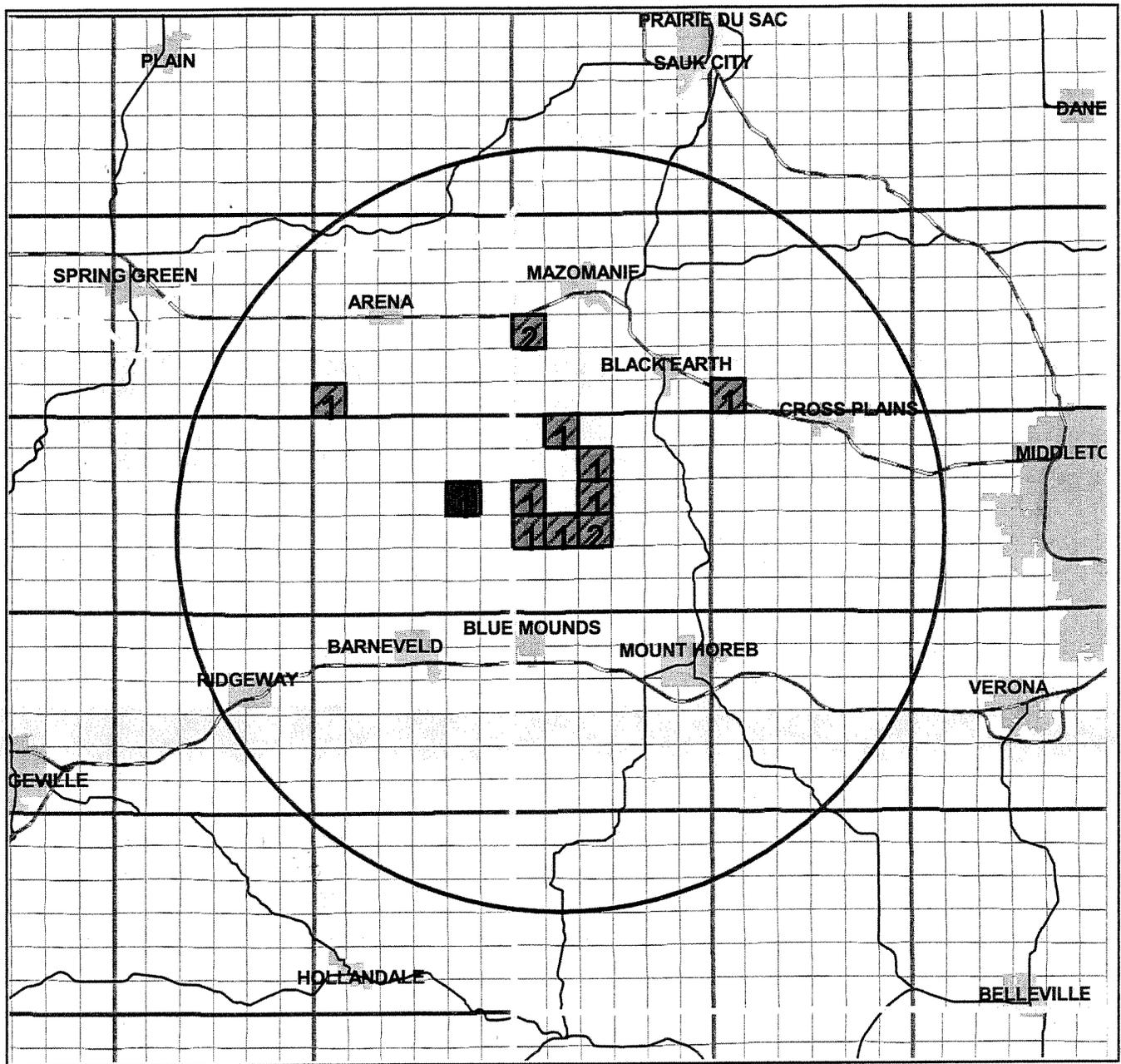
Room 300 Northeast, State Capitol Building

Accounting for: Public Hearing Executive Session

COMMITTEE MEMBER	PRESENT	ABSENT	EXCUSED
1. Senator ROBSON	✓		
2. Senator GROBSCHMIDT			✓
3. Senator HANSEN	✓		
4. Senator WELCH	✓		
5. Senator COWLES	✓		
6. Representative GROTHMAN	✓		
7. Representative SERATTI			✓
8. Representative GUNDERSON	✓		
9. Representative TURNER	✓		
10. Representative HEBL	✓		
Totals	8		2


Maggie Delaporte, Committee Clerk

CWD Surveillance Results, as of 4/9/02



Legend

Numbers in a section indicate the total number of positive cases.

-  New CWD Cases
-  Prior CWD Cases
-  Surveillance Area
-  County Boundary

