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(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2007-08

(session year)

Joint

(Assembly, Senate or Joint)

Committee for Review of Administrative Rules...

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
 - (**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
 - (**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

* Contents organized for archiving by: Stefanie Rose (LRB) (August 2012)

Barry, Sarah

From: Bier, Beth
Sent: Tuesday, June 10, 2008 8:47 AM
To: Barry, Sarah; Bier, Beth; Erickson, Pat; Johnson, Dan; Kanninen, Dan; Klein, Jonathan; McGuire, Paula; Miller, Mark; Sen.Jauch; Sen.Kedzie; Sen.Schultz; Sen.Wirch; Stolzenberg, John
Subject: FW: Rule 08-013, Environment and Natural Resources Committee
Attachments: CWDSupportMiller.wpd

June 8, 2008

Senator Mark Miller, Chair
Committee on Environment and Natural Resources
Room 409 South
State Capitol
Box 7882
Madison, WI 53707

Dear Senator and Chair Miller:

I wish to provide my comments on Clearinghouse Rule 08-013, which will be discussed June 10, 2008, beginning at 10 a. in Room 300 Southeast.

I'm a landowner, deer hunter and resident in the Town of Brigham, Iowa County. My land is in the middle of what was formerly referred to as the Chronic Wasting Disease--Disease Eradication Zone, and near (Town of Vermont) where the first three deer were killed that tested positive for CWD.

I have, even before CWD was discovered here in 2002, taken as many deer as possible each year because of the overpopulation of these cervids in southern Wisconsin. Ecosystem damage by deer in this area continues to be evident, as many landowners repeatedly state.

Even without CWD, the deer population needs to be reduced. Now, more than ever, the recent recommendation by the Department of Natural Resources to reduce the population to at least 20 percent below unit goal should be an objective of hunters, farmers, woodland owners and recreationalists. I believe longer seasons, more relaxed seasons and other methods proposed by the DNR is part of the answer to managing CWD and the deer population.

I support, at a minimum, the 2008 season recommendations put forward by the DNR. We cannot, and should not, relax reducing the herd, even for a season.

In the future, I would hope the season structure would be even more aggressive to lessen the likelihood of CWD spreading farther throughout Wisconsin and into Iowa and Minnesota, and to improve balancing deer with other segments of this ecosystem.

Cordially

6/10/2008

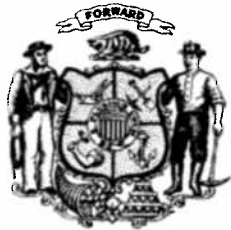
Jerry D. Davis

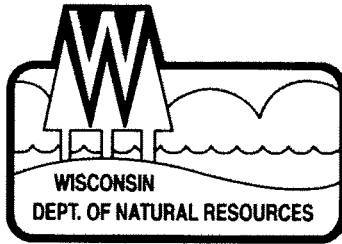
Jerry D. Davis, Resident and Brigham Plan Commission Chair
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WISCONSIN STATE LEGISLATURE





State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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June 10, 2008

Clearinghouse Rule 08-013
Remarks of Alan Crossley
CWD Project Leader

Dear Chairman Miller and Committee Members:

Thank you for the opportunity to testify on Clearinghouse Rule 08-013 relating to deer hunting as it applies to the management of chronic wasting disease. I thought I would keep my remarks brief today, reminding you that this rule is a blending of CWD Stakeholder Advisory group recommendations, feedback from the 8 public hearings that we held, and the Department's recommendations to manage this disease.

1. Combine the Disease Eradication Zone (DEZ) and Herd Reduction Zone (HRZ) into one zone, called the CWD Management Zone (CWD-MZ) whose outer boundary is defined by the current HRZ boundary.
2. Establish interim deer population goals for each DMU contained within the CWD-MZ that are 20% below the goals for those DMUs in 2001, with the exception that DMUs that had goals less than 20 in 2001, remain unchanged.
3. Authorize the use of rifles within the CWD Management Zone with the exception of metro units.
4. Restrict the import of whole cervid carcasses (deer, elk & moose) into Wisconsin from areas within states or provinces that have CWD and restrict whole deer carcass movement from the CWD-MZ to elsewhere in the state. The Department recommends that the effective date of the carcass movement restrictions be delayed until September 1, 2009 to allow hunters time to find local processing or taxidermy options for complying with the movement restriction if they live outside of the CWD-MZ.
5. Allow the harvest of white and albino deer in the entire CWD-MZ (formerly restricted to the DEZ)
6. Establish a deer season framework in the CWD-MZ that is more consistent with the season framework that has been used for DMUs that are over goal in the rest of the state. Under this proposal, hunters in the CWD Zone could expect the following season framework in 2008:
 - Archery season: September 13 to January 4
 - Youth hunt: October 11-12
 - Early firearm season: antlerless only October 16-19
 - 9-day firearm deer season: November 22-30
 - 10-day muzzleloader season: December 1-10
 - Late firearm season: antlerless only December 11-14
 - Holiday firearm season: earn-a-buck December 24-January 4
 - Unlimited Earn-a-buck regulations in effect with pre-qualification

In response to comments received at public hearings and written comments received on the rule proposal, the department is proposing to not allow the shooting of deer from a farm tractor or implement of husbandry in the CWD Management Zone.

Additional background is attached.

I would be happy to answer any questions. Thank you.

Additional Background on Clearing House Rule 08-013

1. **Management Zones** –Combine the DEZ and HRZ into a single zone called the CWD Management Zone (CWD-MZ) whose outer boundary is defined by the current HRZ boundary. A single zone will help reduce confusion over hunting season dates and simplify communication with the public.
2. **Deer Population Goals.** Change the over-winter goals from 5 deer/square mile of deer habitat in the DEZ and 10 deer/square mile of deer habitat in the HRZ, to interim population goals for each DMU in the CWD Management Zone. The SAG recommended that the interim population goals be set 20% below the population goals that were in place for these DMUs during 2001. The only modification the Department made is that 2001 goals for management units that were below 20 deer/square mile not be further reduced. With contagious diseases like CWD, substantially reducing deer density and/or reducing the number of positive deer is critical to affecting disease transmission and the progress of the disease. Getting deer populations to these goals would be a significant accomplishment.
3. **Firearm usage.** Authorize the use of rifles within the entire CWD-MZ except in metro units. Rifles are allowed to make hunters as effective as possible at deer removal in the CWD-MZ. There are no data that suggest areas with rifle use have more accidents than areas where only shotguns, muzzleloaders, and handguns are allowed for deer hunting. During 2002-2007, rifles have been authorized within former shotgun-only portions of the Disease Eradication Zones without any major problems. Hunting accident data from 1998-2007 collected by Tim Lawhern, Hunting Safety Administrator, show that shotguns are involved in more accidents relative to their use:

Shotguns	Rifles
33% of all Gun Deer Zones	67% of all Gun Deer Zones
Contribute to 40.4% of all Gun deer Incidents	Contribute to 59.6% of all Gun deer Incidents

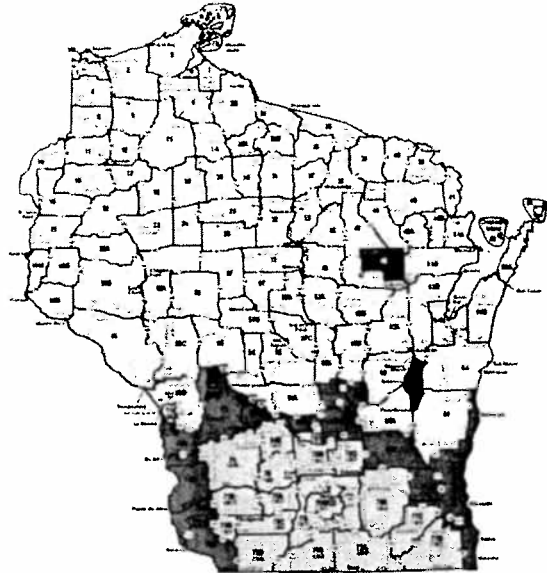
In addition, a March 2007 study commissioned by the Legislative Budget and Finance Committee of the Pennsylvania General Assembly concluded that shotguns are not less risky than rifles in hunting deer. The department will need to do a widespread and effective job of communicating the data from Tim Lawhern and the Pennsylvania study in advance of the fall hunting season to address the commonly held perception that shotgun only seasons are safer seasons. This is particularly true in Wisconsin where rifle calibers are routinely used in handguns for hunting deer (and are legal firearms in a shotgun-only season).

4. **Carcass movement & disposal.** Restrict the import of whole cervid carcasses (deer, elk & moose) into Wisconsin from areas within states or provinces that have CWD and restrict whole deer carcass movement from the CWD-MZ to elsewhere in the state. However, the Department recommends that the effective date of this rule be delayed until September 1, 2009 to allow hunters time to find local processing or taxidermy options for complying with this rule if they live outside of the CWD-MZ.

Whole carcasses from the CWD Management Zone could not be transported beyond the boundary of a DMU immediately adjacent to the periphery of the CWD management zone. Transportation of whole carcasses into an immediately adjacent DMU is allowed to accommodate hunters and landowners who live on one side of the CWD-MZ boundary and hunt on the other side.

Parts that could be moved into Wisconsin from areas in another state or province with CWD or that could be moved outside of the CWD-MZ are:

- Meat that is cut and wrapped, either commercially or privately.
- Quarters or other portions of meat to which no part of the spinal column is attached.
- Meat that has been deboned.
- Hides with no head attached.
- Finished taxidermy heads.
- Antlers with no meat or tissue attached.
- Skulls with antlers attached and with no meat or tissue attached.
- Upper canine teeth.



5. **White and Albino Deer.** *Allow the harvest of white and albino deer in the entire CWD-MZ (an expansion – currently allowed only in the DEZs). The original idea for not protecting white and albino deer in the DEZ was that they were just as likely to get or transmit CWD as any other deer and therefore should not be afforded additional protection.*

6. **Deer Season Framework.** *In the interest of doing more to try to manage CWD, get deer populations to interim goals, and increase consistency in the CWD-MZ season with deer seasons in the rest of the state, the department recommends:*

- An archery season from mid-September to early January
- A 2-day youth hunting season in early October
- A 4-day antlerless-only season in mid-October
- A Traditional 9-day gun season
- A 10-day muzzleloader season
- A 4-day December antlerless-only gun season
- A firearm season allowing the harvesting of bucks under earn-a-buck rules from the day before Christmas to the close of the archery season
- Unlimited earn-a-buck regulations with the ability to pre-qualify

Four day antlerless-only deer gun hunts in October and December have been effective approaches for reducing deer herds outside of the CWD Zone. In 2008, we will see a return to October 4-day antlerless only hunts in Earn-a-buck units and Herd Control Units outside of the Central Forest. The Department cannot justify eliminating those seasons in the CWD Management Zone where the goal is to reduce the deer herd and manage chronic wasting disease. In 2007, the October season in the CWD Zones accounted for 14% of the total kill.

In the interest of statewide deer season consistency, the Department supports a 10-day muzzleloader season and a 4-day antlerless only December season.

The Department is recommending a “Holiday” firearm deer season that will run from the day before Christmas to the close of the archery season (this fall that would be December 24 – January 4). During that season, hunters may harvest a buck provided they are following earn-a-buck rules.

The Stakeholder Advisory Group recommended an antlerless only season running from the day after Christmas to the close of archery season. That recommendation was based in part on the recognition that

additional harvest opportunity was important for trying to reduce deer populations in the CWD Management Zone. The Department also believes that a holiday hunt would add additional herd control and hunting opportunity and feels compelled to recommend a holiday season despite the opposing sentiment expressed in the hearings. The department is advancing the December 24 – January 4 season because it more closely aligns with the season length proposed by the Stakeholder Advisory Group. There is precedent for a hunt during this time period in that CWD-zone firearm seasons ran continuously from the Saturday before Thanksgiving through early January in 2002, 2003, 2004, and 2005.

The Department is going further than the Stakeholder Advisory Group in its final recommendation with the belief that hunting interest and effort would be increased during the holiday period if hunters had the option to shoot bucks. Implementing the option to shoot bucks during the holiday season keeps harvest pressure on yearling bucks (those most likely to disperse), maintains harvest opportunity for older age bucks (those having the greatest prevalence of the disease), and should result in higher harvest than would be predicted during an antlerless only season.

Unlimited earn-a-buck with prequalification is an important component of moving deer populations to goal in the CWD Zone. Earn-a-buck is being used elsewhere in the state where deer populations are significantly over goal and is recommended for use in the CWD Management Zone.

** UNIT 70A **

SINCE CWD REGULATIONS

YEAR:	1998	1999	2000	2001
TOT AREA	280	280	280	284
DEER RG.	204	204	204	219
WSI	16	44	37	83
GUN BUCK	1625	1643	1754	1183
GUN DOES	2016	2255	3774	2302
GUN TOTL	3641	3898	5528	3485
BOW BUCK	378	413	354	323
BOW DOES	289	393	393	245
BOW TOTL	669	806	747	568
CHP BUCK	0	0	0	0
CHP DOES	0	0	0	0
CHP TOTL	0	0	0	0
TOT BUCK	2003	2056	2108	1506
TOT DOES	2301	2648	4167	2547
TOT KILL	433	458	453	431
ANT:BUCK	1.1X	1.3X	2.0X	1.7X
% BOW	16	17	12	14
K/SQ_MI	21	23	31	19
QTA GOAL	2300	3800	5900	8200
PERMITS	2186	2171	0	-
% SUCC.	10	11	-	-
LAND:				
# APP.	126	169	0	0
DRAW_RT	100	100	-	-
PREF:				
# APP.	47	43	0	0
DRAW_RT	100	100	-	-
NON-PREF:				
# APP.	2013	1959	0	-
DRAW_RT	100	100	-	-
BON. ISS.	4304	5703	23E3	14E3
% SUCC.	42	36	17	17
GOAL	25	25	25	25
BKS AGED	252	225	197	156
SUBL AGED	0	4	5	0
DOE AGED	125	142	198	114
YR BK %	54	59	45	41
YR DOE %	30	43	37	33
ADJ BK %	67	61	65	65
ADJ DOE %	42	36	40	40
Adj. SAK:	32	40	49	35
Adj. SAK#	6528	8160	9996	7665

2002	2003	2004	2005	2006	2007
284	284	284	284	284	284
219	219	219	219	219	219
28	0	0	0	0	0
1363	1467	1264	1241	1138	903
3181	2323	2418	1834	1257	1963
4544	3790	3682	3075	2395	2866
58	93	35	78	216	220
349	250	309	177	212	529
408	344	346	256	431	749
0	0	0	0	0	0
0	0	0	0	0	0
0	0	0	0	0	0
1421	1560	1298	1319	1354	1123
3530	2565	2727	1969	1463	2488
433	458	453	431	391	431
2.5X	1.6X	2.1X	1.5X	1.1X	2.2X
8	8	9	8	15	21
22	19	18	15	13	17
4700	-	-	-	-	-
-	-	-	-	-	-
-	-	-	-	-	-
0	0	0	0	0	0
-	-	-	-	-	-
0	0	0	0	0	0
-	-	-	-	-	-
-	-	-	-	-	-
-	-	-	-	-	-
0	0	0	0	0	0
0	0	0	0	0	0
25	25	25	25	25	25
0	0	0	0	0	3
0	0	0	0	0	0
0	0	0	0	0	3
-	-	-	-	-	33
-	-	-	-	-	67
65	65	65	65	65	65
40	40	40	40	40	40
38	35	-	-	-	-
8322	7665	-	-	-	-

Helicopter Count -----

26.4 33.3 33.8 38.3 NA 40.0



A.C. Grabski
5180 Ridge View Road
Blue Mounds, WI 53517
P (608) 924-9717
e-mail: tgrabski@mail2fisherman.com

June 10, 2008

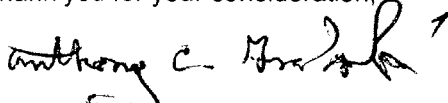
Dear Environment and Natural Resources Committee Members,

I am a scientist, hunter, and landowner living within the WDNR's CWD-Management Zone near Blue Mounds, WI. I am also an Iowa County Delegate to the WI Conservation Congress, CWD Committee Secretary and was a member of the CWD Stakeholder Advisory Group. Although I have been a vocal opponent of the DNR's CWD management policy involving deer eradication, I have done my best to serve the hunters and landowners of Iowa County and Citizens of Wisconsin with the proposals I have made toward CWD and deer management.

The CWD management rule changes under review today incorporate many of the recommendations from the CWD Stakeholder Advisory Group, and I thank all those involved in development of those recommendations. However, these changes are not without controversy. The most controversial point of the proposed rule change is the earn a buck (EAB) holiday hunt Dec. 24th-Jan 4th. The general public during the hearing process and the Conservation Congress did not support that additional hunt. The original proposal by the CWD Stakeholder Advisory Group was that the holiday hunt would start Dec. 26th after Christmas and it would be antlerless only. The holiday hunt was to replace the 4-day October hunt. The DNR added the October hunt, and extended the holiday hunt to open on Christmas Eve, Dec. 24th. The Natural Resources Board (NRB) changed the holiday hunt further making it earn a buck (EAB).

The public hearings on the rule changes showed that the EAB holiday hunt from Dec. 24th to Jan. 4th had the greatest opposition of any of the proposed changes with only 39% of attendees in favor and 61% against. The Conservation Congress CWD Committee did not support the holiday hunt, and even NRB Chairwoman Christine Thomas withdrew her motion to include the holiday hunt in the rule change, but the NRB approved it anyway, and the rule proposal before you today includes that EAB holiday hunt. With all of the opposition and controversy surrounding the EAB holiday hunt, I urge you to remove it from the rule package. With the holiday hunt removed, I believe hunters and landowners in the CWD zones would be satisfied with the changes and a direct result would be an increased deer harvest.

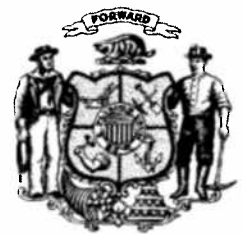
Thank you for your consideration,


Anthony C. Grabski, Ph.D.

Scientist, Hunter, Landowner, and Iowa County Conservation Congress Delegate



WISCONSIN STATE LEGISLATURE



Comments on the WI DNR's Proposed 2008 Rule Changes Regarding Chronic Wasting Disease

As a hunter and as a member of the Chronic Wasting Disease Stakeholder Advisory Group I want to express my support for the DNR and my appreciation for the changes they propose.

As a hunter I appreciate the simplification and consistency in the proposed statewide hunting seasons. The season structure is a reasonable compromise. And while many hunters don't like the Earn-a-Buck program, it does reduce the doe population.

As a member of the Stakeholder Advisory Group, I observed first hand how hard the DNR worked to understand and accommodate the views and demands of various interest groups.

Chronic Wasting Disease is here to stay. There are no solutions that will produce results in the short term. There are very few points related to CWD that all concerned parties agree on. I believe the DNR is doing a good job under difficult conditions.

In the future, I would like the DNR to impose a state wide ban on baiting, and to investigate the role of scent-based attractants on the spread of Chronic Wasting Disease.

Nick Van Driel
2876 Big Bluestem Parkway
Fitchburg WI 53711
June 10, 2008